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SPANISH JACK,

THE MOUNTAIN BANDIT;

OR,

THE PLEDGE OF LIFE.

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BY FREDERICK DEWEY.

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# SPANISH JACK, THE MOUNTAIN BANDIT.

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## CHAPTER I.

### IN THE QUICKSAND.

IT was the close of a delightful day in June, 185-, and the setting sun flamed out over a wild scene—a valley, a league or more in width, bordered on either side by mountains, which overlooked a crystal, rippling river. The mountains were rugged and blue; the valley was yellow, scorched, and dry; only relieved by a snow-white line, bordered with green willow and cottonwood trees—the river.

Up to this river on the north side, and galloping smartly from the timber-selvedge of the serpentine stream, rode a middle-aged man on a brown horse. He was apparently fifty years of age, rather inclined to obesity, and his merry red face and smiling mouth, denoted, by their apoplectic and jovial appearance, his fondness for good living. His hair was dark and rather short, curling closely about his head, and, in unison with his pleasant, sparkling black eyes, glistened incessantly. His hands, though bronzed and powerful, were smooth and supple—proclaiming his was not a life of manual labor.

His dress, however, was that of a well-to-do farmer, neat and of strong and durable material. His heavy calf boots were thick-soled, into which his close-fitting, pepper-and-salt trowsers were thrust. His hat was ample, white, and broad-brimmed, encircled by a wide black band, which contrasted sharply with it, and was placed squarely upon his head, with an entire absence of jauntiness or study.

His horse was a well-fed, chubby gelding, whose every motion declared his close intimacy with his rider, and an utter lack of ill-usage. His saddle was the regulation Spanish tree, well covered with fanciful trappings, and was of a superior

quality. Behind it, and strapped to the "back-leather," were a bale of blankets and a great-coat, showing the man was on a journey of several days' duration.

Such was the case, as his soliloquy will show, as he reined in on the brink of the bank, and stroked his horse's mane.

"Well, Tom, old boy, you and I are in for a night under a tree, I guess—at least, it seems so now. Well, it won't be the first time, and we've blankets," and he glanced back at the bale behind him.

"But I detect the centipedes and tarantulas, and I'll bet a demijohn of the best California brandy that was ever distilled, that this flat is full of 'em. Yes, Tom, my boy, you'll miss your hay to-night, and will have to sharpen your appetite on the bunch-grass on the flat. Well, so be it, then."

He sat for a few moments, calculating the possibility of halting and camping down under a willow, minus his supper and bed; but decided to cross the river, and again starting, he proceeded down the bank. At the edge of the water he again halted, and gazing at the stream, endeavored to form an idea of the depth.

The current was neither swift nor sluggish; and as it steadily rippled by, he judged from its eddies, its depth to be in the vicinity of three feet.

It had been much better for his welfare, had he avoided this sparkling river at this place; had he found a ford it would have saved him sorrow and trouble; for he was at the water's edge of the most treacherous river in California—the Salinas.

Men who have resided on its banks for nearly half a century, fear and avoid its blue water, and caution their children to keep aloof; for this river, from its source to its mouth, is accompanied by treacherous quicksands, deep and deadly. *Vaqueros*, who daily herd their immense flocks on its banks, eye it distrustfully, and avoid crossing it, save by established fords. Travelers are warned by adjacent residents to keep the trail, and beware of abandoning it; but this merry-faced traveler being unacquainted with the river, and having no warning voice to guide him, spurred his horse and rode into the water.

On the side of the river where he was standing was a white

sand, and it is no exaggeration to say it was snow-white, fairly glittering ; but, across the water, a wet, brown sand stretched away to the south bank a hundred yards or more distant ; the deadly quicksand.

He entered the water, and while his stout horse drank greedily, he wistfully eyed the sunken valley in quest of some habitation, but none did he see. Drawing a large pipe from his capacious coat-pocket, he filled it with loose tobacco, and firing it, chirruped to his horse to move forward.

"Tom, my boy," he said, in his pleasant tones, patting the horse as he advanced, "there may be an adobe in yonder valley, though we don't see it. Perhaps we may stumble on the house of some Mexican—so here goes, Tom, my boy."

His horse emerged from the water, and stepped upon the brown, wet sand. As he did so, the rider remarked a strange crackling beneath his hoofs, as if he were treading on loose gravel. But he gave it but a passing thought, intent on discovering a shelter for the night.

The crackling suddenly ceased, and his horse began to labor. He experienced difficulty in withdrawing his hind feet from the wet sand, and it was only by exerting considerable strength he was enabled to do so. He breathed heavily, and bent his head with a grave, steadfast air, common with horses drawing a heavy burden.

"I say, old boy," cheerily chirruped the rider, "this is hard traveling, ain't it ? Mighty loose sand, here—loose and hard to wade through."

The horse stopped.

"Get up, Tom !"

The steed heaved and shook slightly, then relapsed into quiet.

"Why, old boy, what ails you ? Confound you, Tom, why don't you go 'long ? Hy-up, get up !"

The horse did not stir. The rider felt a pressure against the soles of his feet, and glancing down, saw they were resting on the sand.

"By jolly !"

With an anxious face he leaned over, and saw the legs of the horse only half-visible—he was immersed to his knees in the brown sand.

"By thunder!" he ejaculated; "what in the world is the matter?—the horse is sinking."

It was even so, he could not fail to perceive it; sinking steadily three inches or more a minute. He shouted in alarm, though his every action showed he was a self-possessed, courageous man.

"My God, we are in a quicksand!"

Dropping his bridle as his danger flashed upon him, he sprung off, hoping that the horse, rid of his weight, could extricate himself; but no—still steadily sink, sink. He jerked desperately at the bridle, sharply commanding the animal, and violently slapping him on his broad quarter. The horse whinnied, and made a desperate, spasmodic effort. But it was no use—his belly was now on a level with the sand, and the surface rose still more rapidly.

To augment his alarm into still more positive terror, he found himself now nearly knee-deep, and a chill ran through his feet as the cold water enveloped his boots. Becoming horrified at his perilous position, he turned to fly; but his generous heart forbade his abandoning his faithful horse, and with the affection of a true horseman, he prepared for a final desperate attempt.

He tugged at the animal's head, himself sinking deeper at every movement; he shouted words of sharpest command, strange sounds to his horse, and at which he plunged madly; but all to no purpose. He turned his face toward his master in wistful pleading, mutely beseeching him to extricate him from his strange and uncomfortable position.

The man groaned, "Tom, Tom, faithful old friend, I've done all I could, all I could. Good-by, my horse—good-by old Tom, for I've ridden you for the last time."

Tears came to his eyes as he clasped the sturdy neck, while the horse whinnied in terror, mutely gazing at his master from his soft brown eyes. He patted his neck and stroked his broad forehead, caressing him tenderly. The merry look had faded from his face; his head trembled and his eyes brimmed with tears as he bade a last farewell to his faithful horse.

"Old Tom, dear old Tom, my old boy—bid good-by to your master, for you are going—you are dying, Tom."

He bent his head, and the horse gently rubbed his cheek

against his face, lowly neighing ; it was his last farewell to his master.

The latter sadly waved his hand and turned his face away, for he could not bear to see the pleading, beseeching look bent upon him from the brown eyes. With a last gesture of sorrowful farewell, he turned his face to the bank which he had shortly before left in jovial spirits, and tried to retrace his path.

Tried ? Ay, and hard, too—desperately, like a strong man battling for life. He tried, and that was all, for he could not move an inch—he was nearly to the loins in the griping quicksand.

His head swam, and a look of horror came into his eyes.

“ And I too,” he groaned. “ I too am bound fast—to die.”

“ Help !” what a ringing, thrilling cry rung out over the sand and water, echoing back from the distant yellow hills, and dying away down the river. “ Help ! help ! for God’s sake, help !”

The cold, ice-cold sand was creeping up his thighs—he was sinking faster and faster.

“ Help ! help !”

As he tossed his arms wildly about, struggling frantically, he saw, horrified as he was, that every gesture was a step nearer death—it sunk him two inches lower. He instantly ceased, but did not abate his wild cries for assistance.

“ Help !”

Hark ! Was not that an answering halloo down the river—was not help at hand ? No ; only the echo of his wild, ringing cry—only a note more in the ghastly bar of the dirge he was chanting.

Where, he had failed, on the river bank, which commanded a view of the surrounding country, to discover traces of human beings, was it possible now he could make himself heard ? was sound further-penetrating than sight ?

No ; he could not hope for assistance. Turning his head wildly around, he saw the sand was now on a level with his horse’s back, only the horn of the saddle being visible. The animal was still sinking.

“ Help ! my God, what shall I do ? help !”

Ringing derisively back from the yellow hills beyond, catch-

ing up the cry and sending it down the river to cease, echo rung again and again, mocking him.

"I must die," he groaned. "Smothered to death. Buried alive in a coffin of sand. Help! help!"

Had a bird chirped half a mile away he would have heard it, as his strained ears piteously waited for an answering halloo; but all was quiet up and down the river.

The sun was just sinking behind the crest of a mountain in the Coast Range, miles away. It seemed to him to glow with a red, blazing, unnatural light, as if bursting with ill-suppressed glee at his nearing grave.

Long, flickering shadows streamed down from the mountains, athwart the foot-hills, and thence over the valley; and with the aptness of a drowning man he compared those in the valley to the "valley of the shadow of death."

The saddle of the horse was now under the surface—it had disappeared; and of the animal nothing was visible except the neck and tossing head, rendered horrible to the sight by the agonized gaze that streamed from the wild brown eyes. The faithful nurse had but a few short minutes in which to live.

Looking down, the unfortunate man saw his heavy gold watch-guard invisible, save the bar that secured it to the button-hole of his vest; he was nearly down to the arm-pits, and he could feel the sand beneath his feet slowly displacing, lowering him in his coffin of sand.

"Help! help! Oh, Edith!"

Hark! surely an answering cry came from the northern valley—surely; he *could* not be mistaken. Elevating his voice to a greater stentorian pitch, he opened his lungs, and again the wild appeal lunged out:

"Help!"

No answer. Again he called, and waited with strained ears for the reply.

None. He grew sick with grievous disappointment, he had been so certain. He tried again.

"Help! help! help!"

"Yoho-o-o-o!" came a faint answering hail from off in the northern valley.

"Joy! God be praised!" he cried fervently. "Help!" "Halloo—o!"

The hail could not be far distant and the utterer was coming. This he knew, as the second hail was far more distinct than the first, and was quite audible.

Again he hailed—again came the answer, plainer still.

"Yo—ho! Com—ing, com—ing!"

Hurrah! the voice was not far distant, and help was near at hand.

"Hurry!"

"Cour—age—bravo! Coming as quick as I can. Com—ing, com—ing!"

The light that blazed from the piercing eye was a wild, gleaming one—a light of mingled fear, despair, and hope, gradually merging into the latter.

Two minutes passed by—two hours they seemed to him, and he had sunk to the arm-pits, with his arms resting flat upon the sand. But his face grew brighter as a sound was heard in the direction of the voice; the sound of galloping hoofs.

"Hurry!" he cried, to the now adjacent horseman; "hurry, or you'll be too late."

"Courage, I'm coming."

It was a joyful voice; a tone as sweet as the richest music to his ears, and he blessed it.

The rumble of hoofs grew louder, and became a thunder, rapidly increasing to a clatter, as a horseman, with a steed reeking with foam and sweat, dashed up to the bank and looked down on the semi-man in the quicksand.

"I knew there was a man quicksanded."

The words were scarcely spoken before he was down the bank and spurring into the water, where he halted, within twenty yards of the other.

"Hurry, for God's sake!" beseeched the sinking man. "I'm dying—I'm sinking fast—hurry!"

The man was a stalwart, jauntily dressed fellow, armed to the teeth, with a resolute bearing.

"You are all right," he coolly said to the sinking man. "I'll bring you out of that in thirty seconds, so don't you

fret. But nothing can save your horse—all I can see is the top of his head."

While he had been speaking he had taken a coil of platted hide a half-inch in diameter—a lasso—from his saddle-horn. This he grasped in his right hand, and began to swing over his head.

"Hold up your arms!" he commanded. "Up over your head."

The other obeyed.

"Now."

He whirled the riata swiftly over his head several times, then cast it over the sand. The aim was correct, and the wide noose settled over the shoulders of the man in the quicksand. The other pulled the noose taut.

"Hold tight now!" ordered the sturdy deliverer. "It will jerk your shoulders like thunder. Now, here we go—yonder goes your horse out of sight."

The main end of the riata was fast to the saddle-horn. Wheeling his horse, the stalwart rescuer spurred his steed up the bank; and, as the saved man was drawn out of the gripping, cruel sand, through the river, and up the bank, he saw the ears of his faithful horse disappear—Tom was dead.

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## CHAPTER II.

### A BOLD CARBINEER.

WHEN the first gush of thanks had poured from the glib tongue of the rescued man, to which his deliverer listened attentively, he asked his rescuer's name, drawing, as he did so, a well-filled purse from his soaked trowsers-pocket.

"John Harkaway," was the name given by the other—a sort of rollicking cognomen, hinting at a rattling disposition, a lusty constitution and a roving nature; indeed, the bearer fully looked as much.

He was tall and sturdy, evidently twenty-five years of age,

six feet in height, and weighing in the vicinity of fourteen stone, with no superfluous flesh on his well-knit frame. In dress he was neat and plain, appearing like one who spent the most of his time in the saddle; for the heels of his cavalry boots were garnished by a pair of huge steel spurs, as glittering as a dandy policeman's badge of authority, and were secured to the foot by a strap and a sparkling brass chain. His pantaloons, vest, coat and hat were all of the same color—drab, relieved at the vest by a black ribbon watch-guard, and at the hat, with a broad black band. His apparel fitted him well, setting forth to advantage his muscular form, and was made to order—to wit: expressly for him—and was of durable and expensive material.

He was heavily armed, as if for partisan warfare; and though at that day nearly every man in California bore weapons, offensive and defensive, his were more warlike and varied. His plain leather belt bore three scabbards. From one at his back, the hilt of a long knife protruded; from the others, at either hip, a brace of revolvers peeped wickedly forth, while across his back, and depending from a strap passed across his broad chest, was a short, heavy carbine, well oiled and cleaned, ready for instant use.

His dress and equipment (his horse being laden with a blanket and great coat) evinced a rambling disposition; and his roving appearance, and self-possessed, cool demeanor, showed an acquaintance with the world. His visage was handsome, round and dark; sporting a resolute, fearless gaze, sparkling black eyes, and a heavy and symmetrical mustache; and his head was set off by a profusion of dark, curling hair. Altogether, he was a romantic, dashing carbineer, the dream-hero of tender young misses, and Spalding reckoned him as a better friend than enemy.

While Spalding was pouring forth his thanks and gratitude, Harkaway occupied himself in re-coiling his *riata* on the horn of his saddle, which done, he turned to the other, and with a gesture of annoyance, said, in a clear tenor voice, with some impatience of manner:

"Enough, sir; that is sufficient; may I beg leave to inquire your name?"

"Solomon Spalding," replied the merry man; "Solomon

Spalding, of San Francisco, and right glad I am to be ~~still~~ of that place. Jove, sir! I was beginning to feel mighty dismal when you so gallantly pulled me out of that hole;" and he cast a glance over his shoulder at the smooth sand, and shuddered involuntarily.

"A narrow escape," gravely remarked Harkaway; "and had you been so weighty as your horse, you would now be where he is: several feet under ground."

"Poor Tom," murmured Spalding; "Old Tom, you are dead now."

"Sir," he resumed, after a brief pause, during which he gazed sadly where his horse had sunk, "I am one of the richest men in Fr'isco, and if you live thereabout, you've perhaps heard of me."

He paused interrogatively. Harkaway negatively shook his head.

"Well, it don't make any difference whether you do or whether you don't, as the cat said when the house-dog was trying to drive her away from a piece of meat that was covered with hot mustard. I'm wealthy, and have some money with me—five thousand dollars. I've just come from the mines, where I've been collecting bills for goods, for I've got a hardware and grocery store in San Francisco. Now," (and he emptied from a very large purse a pile of gold coin), "here are four thousand eight hundred and odd dollars. I value my life at about as much money as there is in the whole world—somewhere up in the billions; but seeing as I've got a bill of two thousand to pay at Monterey to-morrow, I'll give you two thousand and call it square—eh?"

"You are very generous," replied John Harkaway, with a strange smile flickering about his white teeth beneath the brown mustache; "exceedingly liberal, indeed; but what would you say if I demanded it all?"

"It wouldn't be more than fair," rejoined Spalding, heartily. "I know five thousand dollars couldn't buy one of my fingers, let alone my life; and I'd cheerfully give you all, but—the payment."

"Exacting creditor—must and will have his money at the expiration of the time?" inquired Harkaway, with another evanescent smile.

"Just so; he's mighty particular. Old Jones of Monterey—know him?"

"No."

"You are just as well off, for he's an old griper. He sticks to a debtor like a—a—a quicksand, by Jove! I can't say more if I talk a week."

"Stingy—miserly?"

"Yes, by Jove! an old skin-flint."

"Just the fellows that Spanish Jack likes to get hold of!" and Harkaway's black eyes sparkled. "Ah, it is sport to hear them beg for their money—genuine sport; there is nothing like it!"

Solomon Spalding stared, and vaguely suspected he was not in the safest of company, albeit Harkaway had just now saved him from a terrible death. He was disagreeably confirmed in his suspicions the next instant by the latter himself.

"It is getting late," said Harkaway, with a gesture at the rapidly-increasing twilight. "I must leave you, for I have business to-night on the Los Angeles road. Spalding, I'll trouble you for four thousand five hundred dollars, leaving you the balance with which to get another horse, and get home to Fr'isco."

As he said this, he quietly unslung his carbine, and placed it across his arm, drawing the hammer. Spalding stared in surprise.

"I dislike to brew trouble between you and skinflint Jones of Monterey," Harkaway resumed; "but I'm after money, just now, and I'll have to trouble you for the amount I just stated."

"I would willingly give it to you," rejoined Spalding, wholly taken aback by Harkaway's sudden warlike attitude; "but the payment. If it wasn't for that, I'd do it in a minute, for I think my life is worth four thousand times four thousand dollars; but Jones will surely bring an action against me, and get ten thousand out of me if I don't come to time to-morrow?"

"Oh," he'll be easily satisfied if you tell him what I desire you to." And Harkaway's black eyes twinkled in amusement.

"What is that?"

"That you were stopped on the Salinas by Spanish Jack, the mountain robber, who charged you four thousand five hundred dollars for saving your life."

Spalding started back in alarm and amazement, and inquired hastily:

"Are you Spanish Jack?"

"I am Spanish Jack."

Spalding drew back in alarm. Before him, smiling over his glistening carbine, was a robber who had, within several months, achieved a reputation for daring highway-robberies, second to none on the Pacific coast. He was considered ubiquitous, and was consequently feared by the entire population of California. He had risen into notoriety within a few months, but in that short time had caused his name to be feared from San Francisco to San Diego; and already a standing reward was existing for his apprehension. He committed but few murders, being extremely polite and urbane, naturally, and generally managed to effect his crimes more by tact than brute force, which he considered the bight of his profession. Romantic young women, hearing of his manly beauty, courtesy, and daring, longed to possess him; and numberless were the perfumed billet-doux, signed with alliterative names which were addressed to him, only to be intercepted by the authorities. His very name was music to their ears. What so bold, dashing and rattling as "Spanish Jack?" and it is *only* necessary to possess a rollicking name, manly beauty, courtesy and infinite daring, to set gadding the heads of half the misses in Christendom.

Before this prince of bandits stood Solomon Spalding, looking into the black muzzle of a carbine, at an uncomfortably short distance. However, he was a courageous man, and assuming a slight shred of the dictator, he said:

"You are no Spaniard; there's not a drop of that blood in your veins."

"I am an American, Spalding, from Delaware. I am called Spanish Jack from my complexion."

"I don't believe you *are* Spanish Jack."

The other's voice became perceptibly sharper as he said, tersely:

"Spalding, I desire that money. I am Spanish Jack."

"But I tell you I've got to pay Jones."

"You don't recollect I just now saved your life," said the robber, reproachfully.

"I do—and thank you for it; and hark ye, Harkaway, if you were in the custody of vigilantes now, I would risk my life to save yours. You are a very strange fellow. You ride like the wind to save a man's life, and then rob him afterward. Not that I begrudge the money—I offer you half and would, give you the rest were I not forced to meet a note, which if not paid, will seriously injure my credit. What did you pull me out for—why do you now rob me?"

"Because it is not my nature to see a man die before my eyes, if I can prevent it, and because I want money."

"Do you still persist in robbing me?"

"I still persist in charging you forty-five hundred dollars for saving your life, which according to your own story is worth billions."

There was an impatient, terrier-like gleam about his dark eyes which showed he was not jesting. He looked hurriedly about him, and seeing night near at hand, his brow clouded into a settled frown, and his voice sounded sharply as he said :

"Spalding, I want the money; and though I even now saved your life, by the Lord! I'll have it if you refuse or resist. Come, disburse!"

Every lineament of his dark face showed his fast-rising wrath. Spalding was well aware of his tiger-like ferocity when angered, and though satisfied he would be forced to comply with the demand, made one more effort.

"Spanish Jack, take two thousand, and when I get to the city I'll send you the balance. How will that suit you?"

"Not at all. It would suit the authoritics, though, to iron me when I go for my money."

"I'll send it by letter to any false name you say."

"Hark ye, Solomon Spalding," said Spanish Jack with flashing eyes: "there's not a town in California that has not as residents men who know me like their own brothers. Do you think I am so foolish that I will run my neck into a reg-

ulator's halter, with open eyes? Solomon Spalding, I want that money!"

The latter saw the uselessness of further argument or expostulation; a single cursory glance at the gleaming face of the young bandit, would so convince the most obtuse of observers; and drawing aside the strings of his purse, Spalding emptied the entire amount of coin upon the ground.

"Take out the amount I want!" commanded Harkaway, or Spanish Jack. "You can have the three hundred and odd—I'll leave you with some money in your pocket, which is more than most road-men would do."

The money was counted and handed to the highwayman, who emptied it into a large pouch which clinked again, with a large amount of coin, procured in a similar manner without doubt. Then Spanish Jack smilingly bowed as he secured the heavy bag to his belt—heavier by four thousand and five hundred dollars.

"Spalding, will you do me the favor of surrendering your revolver?"

This was requested in a suave tone, but one tinged with command. Spalding did as required, saying, reproachfully:

"You needn't be alarmed, Harkaway. For all you've robbed me, you've saved my life; and were you now at my mercy, I would not harm a hair of your head. Now that you've taken away my revolver, what am I going to do without it?"

"Spalding, I don't wan't your revolver, and when I get to the cottonwood tree, yonder, I'll drop it. I think it is hardly safe in your hands—it might be discharged and hurt me, Spalding!"

"What more do you want—my watch?"

"No, Spalding!"

"What?"

"Adieu!" and springing into the saddle, Spanish Jack wheeled his horse and rode away in the darkness at a swift gallop, dropping the revolver agreeable to his word, at the designated tree; and when Spalding stood beneath its waving boughs and replaced the revolver in its scabbard, the last echo of the bandit's retreat died away.

Something seemed to trouble him even more than the loss of his horse, gold and credit—his honor had been doubted.

"He need not have taken away my revolver," he muttered, gloomily. "He might have trusted to my honor—as if I could harm a man that saved my life, if he did charge me four thousand five hundred dollars for doing it."

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### CHAPTER III.

#### OUT OF THE FRYING-PAN INTO THE FIRE.

A WEEK after the adventures on the Salinas, Solomon Spalding was at his home in San Francisco, and in trouble, compared with which, his previous adventures had been but the acts of a parlor drama.

He had lately made himself obnoxious to the lower and rougher portions of the populace, by being foremost in the organization of a special night police, which, patrolling the city nocturnally, exercised by their vigilance, a complete check upon the crimes which were perpetrated under cover of darkness. San Francisco at that day was almost entirely ruled by desperadoes, the major part of the inhabitants being rampant miners. They were regarded with fear by the better class, and cognizant of it, held almost undisputed sway over them.

Solomon Spalding by his measures to protect benighted citizens from loss of property, and perhaps life, had placed himself in a precarious position. Being a prominent business man he was rapidly rising into favor with the quiet citizens, and seemed likely, at no future day, to govern the city. This was distasteful to the ambitious rowdies who aspired to the mayoralty, and taking advantage of a circumstance which came to their ears, they incited their ruffianly adherents to personal violence upon him.

A Mexican *vaquero* arriving from the Salinas, brought word that a wealthy freighter had been stopped between Stockton and the mines by Spanish Jack and relieved of ten thousand

dollars ; and that furthermore, a week subsequently he had, while riding along the Salinas, beheld the robber in close conversation with Solomon Spalding, the rich merchant.

From the scarcity of shelter he had been unable to get sufficiently near them to hear their conversation ; but it was apparently amicable, and was continued for an hour or more ; after which the robber rode away toward the mountains, while the merchant disappeared in a contrary direction.

This statement to the mob was as fire to tow : it caused instant combustion. What more likely than that Spalding was in league with the bandit ? was not his rapidly increasing wealth attributable to this cause ?

Men, especially russians, are prone to grasp at conclusions when by doing so they will be benisited. These russians, gratified with the opportunity of overthrowing Spalding, assembled, several hundred in number, and in two hours after the arrival of the mischief-making *vaquero*, were clamoring before the merchant's house.

The residence was a wooden structure, and one of the most pretentious in the city, though at that day beauty of architecture was little thought of there, where the goal to be gained was wealth ; but there was an air of cosiness and comfort about it which evidenced the easy circumstances of its owner. The merchant was a widower with an only child—a daughter, the pride and hope of his waning years.

She was a lovely, gentle girl of eighteen, modest and generous in her impulses, uniting the sound sense and wisdom of her father, and the sweet womanliness of her departed mother ; and, as a consequence, Edith Spalding was a creature to be respected and esteemed, as well as admired and loved. She had her faults, it is true—who has not?—but they were so slight and seldom occurring, as to give an additional charm and piquancy to her presence, just as the sudden bray of a trumpet relieves the tedious smoothness of a well-trained orchestra, in a tender interlude. Sameness in woman, no matter how elevated, is a crime in the eyes of man.

They were sitting at an early supper, she and her father, and the latter was relating his adventures with gusto, when a noise came from the street—a muttering sound, which grew louder increasing to a continuous roar of hoarse voices. They lis-

tened intently as the roar swelled in alternate waves, as it was taken up from other quarters ; it was the mob.

Edith's face paled. "Oh, father!" she murmured, as the roar became steadily harsher and louder. "There is a mob outside—can it be there is a riot?"

"It sounds like one, surely," Spalding replied. "Listen, what a yelling ; just like a pack of maniacs."

"Do go and see what it is?" she said, in alarm. He rose from the table. As he did so, a servant entered with a gesture of alarm.

"What is the matter, John?" he asked of the servant.

"Oh, sir, the street's full of men—there's a mob outside."

"Ah! What seems to be the matter?"

The servant glanced at Edith, uneasily, and hesitated irresolutely ; then said :

"I beg your pardon, sir, but I think they want you."

"Why so?"

"They are calling out your name, and say they are after you."

Edith moaned. She well knew her father's unpopularity with the lower classes, and felt alarmed for his safety.

"I'll go and see," he said.

She clung to him. "Oh, father, do be careful, and don't expose yourself—they may harm you."

"Nonsense, Edith. I'll go and talk with them."

He took a small revolver from his pocket, and inspected the chambers of its cylinder. At this preparation she clung closer.

"Hear them!" she cried, as the tumult without increased. "Oh, father, I'm afraid they mean to do you harm--don't go."

"Let me go, Edith," he said, untwining her arms from around his neck. "If they want me they can have me—I've done nothing to be afraid of."

Saying this, he disengaged himself, and entering the cosy parlor, threw open the window and looked out. In the twilight he saw the street was thronged with men, and here and there a torch flamed out redly. At perceiving him, the mob uttered a tremendous roar which resounded up and down the street, mingled with harsh threats, jeers and insults.

He waved his hand as if to speak, and the clamor of discordant voices died away, and a sea of angry faces upturned to him. He spoke in a tone of surprise.

"My friends, what does all this mean—do you want me?"

A roar in the affirmative. Waiting until its prolonged emphasis had ceased, he resumed.

"Why couldn't you call quietly at the door, and not gather in the street alarming the town with your noise?"

Another roar surged up from the angry faces—the only sound a mob uses to express its feelings, showing that mobs are little more than assemblages of wild beasts in human shape.

"Will some one man please inform me what is the occasion of this?" he demanded impatiently.

Another roar from the brassy throats; but it was silenced as a man sprung upon the doorsteps, and elevating his hand, motioned silence.

"Now, sir!" said the merchant, addressing this man, "what are you here for?"

"We are vigilantes," was the sententious reply.

"What business have you with me?"

"We came to get you."

"Why?"

"Because you are in league with Spanish Jack."

Spalding exploded at this.

"Any man that says such an absurd and silly thing tells a lie."

At this a fierce yell broke from the mob, and a harsh voice cried, with an unmistakable Hibernian accent:

"Bur-run the hoose down—he calls us liars!"

"Bring one of them torches hyar!" cried another; "this way with a torch."

The cry was taken up in all quarters, and a torch was rapidly passed from hand to hand toward the house. Seeing the flaming brand approaching, the man on the doorstep, who seemed to be a sort of leader, cried:

"The man that touches fire to this house gets a buckshot through his head. And the Mick that started it may consider himself a bloody villain!" and he drew his heavy revolver, facing the mob.

Cries of anger directed at the unlucky Irishman scattered up from the fickle crowd, and a shrill voice cried:

"Do it, Jackson; we're in with you. No violence."

Another roar of assent. The man Jackson turned to the merchant.

"Sir, we want and will have you, but unless we can prove the charge against you, no harm will be done to you. These men are impatient—you had better come along quietly and save being dragged."

A glance from the angry faces gleaming up from the street, convinced Spalding of the policy of compliance, although he was utterly astounded at the incomprehensible demand. He answered Jackson coolly:

"I will go with you," he said; "but first let me get my hat and see my daughter."

"Well," gruffly assented the man. "Only be quick, for I can't keep the crowd back all night."

As he turned, Edith, who had been at his elbow, clasped her white arms tightly round his neck, sobbing wildly. She wildly besought him to resist them—they meant to injure him; to escape, to send for assistance, and barricade the doors and windows; in short, she was terrified, and, womanlike, imagined the worst.

He gently put her away, and taking his hat and cane, moved toward the door, being impeded by her renewed embraces. At his bidding, the servants endeavored to soothe and take her away; but she resisted their entreaties and attempts.

The mob became more impatient, and shouting hoarsely, surged up to the door, hammering on it with cudgels; and Jackson called out for him to make haste, as the ruffians could not much longer be restrained. Firmly casting her from him, the merchant tenderly kissed her, and opening the door, went out.

He was instantly and roughly seized by a dozen men, and amid a tumult of oaths, shouts, coarse jokes and insults, he was borne down the street by his captors, destined, he knew not whither, and seemingly in a perilous position.

## CHAPTER IV.

## THE LOVER'S TASK.

FOR a few moments the daughter stood listening to the roar and tumult of the mob as it thronged down the street. She was supported by the two servants, otherwise she would have sunk to the floor; for she knew the lawlessness of the lower class, and their hatred of her father, and with true womanly apprehension, feared the worst. As the last hoarse shout died away, she suddenly regained her senses, and immediately resolved to succor her father. She was young, lovely and amiable, everything man could desire, not without great expectations in the shape of wealth; and where is the young lady in possession of the first charms and the latter modern requirement who has not a lover.

She had one, of course, and she ardently loved him; and to him now, she, in her father's extremity repaired. He was Solomon Spalding's confidential clerk—Albert Winton—a resolute, honest young fellow of three and twenty, who resided several streets away with his aged parents.

Hastily throwing a shawl round her shoulders, and escorted by the man-servant, John (for it was quite dark), she sallied forth in an opposite direction to that taken by the triumphant mob, in quest of young Winton; and so fleet were her foot steps that the servant had much ado to retain his place at her side (being corpulent), and panted heavily when at last they halted at their destination.

She ran up the steps of the homely cottage, and knocked at the door vehemently, bringing Winton hastily to the door. As he opened it, a bright light streamed forth from an inner room, where his parents were at supper; and seemingly concentrating its vivid rays upon his features, disclosed as fine and honest a face as one could wish to see.

Under the red-brown hair that waved in short curls back from his forehead, and overshadowed by a pair of almost straight, brown eyebrows, shone a pair of dark eyes—orbs

which glowed as steadily and gravely as those of a mastiff. Though not piercing nor flashing, they possessed a steadfast, calm gaze, which (as eyes are said to be the windows of the soul) evinced a cool, imperturbable demeanor, and a courage of unquestionable fortitude. The heavy mustache was sandy, likewise the goatee; and, in harmony with the auburn complexion, a few freckles were visible on his cheek-bones.

In frame he was some five feet ten inches in height, and his weight was in the vicinity of one hundred and eighty pounds. He was robust without portliness, strong and active. In addition to his grace and strength of person, he possessed a comprehensive brain, nerves of steel, and was honest, as far as honesty goes without becoming preternatural, like that of an old-fashioned novel-hero.

Edith Spalding was fortunate in her lover.

"Why, Edith!" he exclaimed, in a heavy basso, with surprise. "What is the matter? Is your father ill—has any thing happened to him?"

Trembling with eagerness, she told him of her father's abduction by the mob, incoherently, and with frequent short sobs. She had scarcely finished when he was into the house—back he came with his hat and a revolver—and taking her arm, he hurried down the street in search of the mob, followed by corpulent John, who was soon left far behind.

Albert was cognizant of the disfavor shown by the rougher class toward his employer, and knowing the prevalence of Lynch-law, and the popular hatred of Spanish Jack, feared the worst, though he was careful to conceal his real feelings, as they, if uttered, would cause Edith unnecessary alarm. That very evening, while returning from business, he had overheard a conversation in the plaza, between a knot of men, in which the name of his employer and that of the robber were conspicuous; and knowing the former's adventure on the Salinas, feared it would be exaggerated by the mob, and used as a means to put him out of the way.

A California mob was not to be lightly regarded, and none knew it better than he; and as the streets were quiet, he feared the Russians had already crossed the corporation line, and were trying Spalding, with Judge Lynch on the bench.

A part of his fears was correct—they had crossed the lim-

its, and were now out of the city ; for, taking the direction given by Edith, he increased his pace to a run, and soon arrived within sound of the mob, and directly in view of the torches, which, augmented to a hundred or more, illuminated the entire vicinity.

The number of the mob had increased two-fold, and now comprised five or six hundred men. The roaring of hoarse voices had ceased--having their victim in their clutches, they were busily arguing his disposal.

As they entered the outskirts and pushed toward the van and center where Mr. Spalding was being led along, they were not noticed, every individual being engaged in earnest discussion relative to the disposition of the prisoner. Some advocated hanging ; others warmly seconded them ; while a few seemed disposed to leniency, and to wait for proofs before acting rashly.

Edith grew faint, as a frequently-recurring phrase met her ears—a diabolical suggestion, bandied from mouth to mouth throughout the crowd ; and Winton's hopes fell as he listened to its oft-repeated significance : “ Hang him and put him out of the way—that's what I say.”

At every repetition of the lawless suggestion, Edith clung closer to her lover for protection ; for now they were in the thick of the throng, and jostled on every hand by men, heedless, in their eagerness, of the presence of a female—a lady. No one noticed the anxious couple, but all pressed on, peering over the heads of those in advance, at intervals shouting the barbarous suggestion : “ Hang him—that's what I say.”

The mob was now quite beyond the corporation line that marked the city limits, and as if they had crossed it to evade the municipal authorities, now halted on a sandy common, the leaders assembling beneath a tree.

Winton and Edith now pressed forward, and by dint of vigorous elbowing and energetic jostling, the former succeeded in penetrating to the tree under which was the merchant. The latter was surprised and annoyed by his daughter's presence, and looked his disapproval. Jackson, following his glance, perceived the lovers, and recognizing them, at once made room for them near the prisoner ; which done, he without preamble briskly opened the docket of Judge Lynch.

Standing before the prisoner, and for the benefit of the mob speaking in a shrill key, he preferred the charge against him, which was of grave aspect; his suspected illegitimate connection with the robber, Spanish Jack. He was at some pains to be methodical and accurate, so far as he could, being by turns, judge, jury, counsel, and prosecuting attorney for the people. He listened to the testimony of the Mexican *vaquero*, who was present, and in his argument as prosecuting-attorney frequently called upon him for corroboration; and in his cross-examination as counsel for the prisoner involved himself in a maze of contradictions, which, under less serious circumstances, would have been irresistibly ludicrous. Often did Edith and her lover endeavor to remonstrate, but they were commanded to cease under penalty of ejection, and the proceedings, ridiculously confused, went briskly on.

In less than ten minutes the trial was concluded. The prisoner had been tried with remarkable celerity; and, having been found guilty by the entire mob, stood awaiting his sentence.

He was given the choice of an alternative. By apprehending and bringing to justice the robber, his life would be spared; otherwise—they were under a tree, and a rope was readily procurable. So said Jackson.

In vain Spalding protested his innocence and utter disconnection with the robber; in vain he related his heavy loss by the latter's hands; and futilely he declared his ignorance of his whereabouts; popular prejudice was against him, and he was disbelieved. The majority clamored for his instant execution; but the more intelligent and cautious were aware that though the Lynching of an obscure individual would be lightly regarded, that of a prominent citizen would entail an investigation which might result to their disadvantage; and, clement through discretion, hesitated.

Mr. Spalding was in a quandary. He was innocent of the charge, and had not the remotest idea of the course to be pursued in order to bring the robber to justice, and even had he, would have been loth to have pursued it; for he was of a generous nature, and, notwithstanding the robber had violated his purse, he had saved his life, a service he never could efface.

Edith, wild with grief and terror, clung to his neck, sobbing over him, while the coarser of the mob jeered while she upbraided them. Winton alternately remonstrated, and bade them beware of taking the life of a man so prominent as the prisoner, and by a liberal use of his tongue, so far worked on the leaders' feelings that they granted him, after an hour's harangue, an opportunity in which to save his employer's life.

"You may have," said Jackson, concisely, "just three weeks—twenty days—in which to capture Spanish Jack and fetch him here. If you do it, then Mr. Spalding is free. If not—"

"I'll do it!" exclaimed Winton, glancing down at his muscular limbs. "But if I fail?"

"Judge Lynch!" was the terse and significant rejoinder.

Winton was a young man in the fortunate possession of this rare virtue—no superfluity of words. He instantly perceived it was the sole opportunity of saving his employer's life, and with characteristic promptness at once seized it.

"I will start as soon as I can prepare," he said. "But, of course, you will at once release Mr. Spalding?"

"Certainly, until you return. If you succeed, all's well; if you don't, he is liable to be shot at sight, at any time."

"So be it, then. Mr. Spalding?"

"Well, Albert?"

His employer was dejected. By the red gleam of the flaming torches, Winton saw his face was extremely pale and anxious, and his heart burned with anger as Edith clung sobbing to his neck. He was about to enter a hazardous undertaking; but at the commencement he was nerved to the wildest exploits by the wild grief of the girl he loved.

"You are free," he said—"free for twenty days, when, God willing, I'll bring Spanish Jack a prisoner to this city. I'm off to-night."

A wild shriek rung out upon the cold night air, and Winton, springing forward, clasped Edith as she was falling. She had fainted from joy.

## CHAPTER V.

## THE CAST-OFF.

ON the second day from the capture and final liberation of the merchant, a man might have been seen bestriding a trusty steed, riding through a canon in the Sierra Nevadas, directly east of San Francisco. He *might* have been seen, but certainly was not, by human eyes, as he was in the very heart of those rugged and picturesque mountains, far from the haunts of men.

He was a jaunty, powerful, dark-complexioned young man, clad entirely in clothing of a drab hue, and was armed to the teeth; the most prominent of his many and varied weapons being a short carbine, which he carried in his hand, ready for instant use.

A certain stealthy air which pervaded his slightest motion, and which is only acquired by the habitual transgressor, showed, together with his weapons, that his calling was not that of a quiet citizen. Far from it. He was the feared robber—Spanish Jack.

The day was waxing on toward sunset. The mountain sides, wild and rugged, were ribbed with the long shadows cast by the lofty pines, which towered, steeple-like, toward the cold blue sky. The foot of man, even of the wandering gold-hunter, had seldom, if ever, trodden these wild mazes; and the diurnal “trade-wind,” that California blessing, soughed through the pines sadly, as if bemoaning the surrounding sterility and desolation.

The robber having arrived at a point where the canon terminated in a precipice which fell sheer a thousand feet, dismounted, and seated himself on the extreme verge, with his legs dangling loosely over the brink.

A cool head that—steady as the base of old Shasta Butte, league after league away northerly. Difficult to find would be the sailor that would dare to sit with his legs hanging over a precipice, so very high that far below, gigantic pines seemed but toy trees. Ay; there's no lack of daring there.

He quietly gazed at the grand and noble scenery about him for a few moments, with that calm and somewhat indifferent gaze common to those habitually roaming a magnificent country, then from the skirt-pocket of his dark cut-away coat drew forth a Spanish *cigarro* which he adroitly lighted in the very teeth of the wind. Wetting the roll with his tongue to counteract the effect of the consuming wind, he posseted quietly with hands folded on his knee; loosing now and then with his spurs, fragments of soil which clattered down away out of view.

He had been there an hour, perhaps, and was whiffing his fifth *cigarro*, when from the canon above him, a clear feminine voice rung out, cutting the thin air with a sharp intonation:

"Jack!"

The robber, without moving, drew his *cigarro* from his lips, and puffing forth a cloud of smoke answered in an elevated key: "Come!" and indifferently resumed his smoking.

The voice, to use a technical expression, was several minutes distant, and his demeanor showed this was a concerted meeting. His lady-love, no doubt, was coming to join him, and he should have been gladdened thereby; but as he heard the ring of a horse's hoofs on the pebbles behind him, he uttered a stern sentence and relapsed into moody, silence: "Curse that jade!"

It was not a gallant speech, to say the least; and as the ringing sound drew nearer, he lazily rose from his perilous seat, and faced round with a half-defiant and resolved air.

A bay pony stood before him, managed by a slender woman in a plain riding-habit. Although past her youthful freshness, her countenance was lovely and bewildering, and must have been in its prime of rare beauty. The complexion was fair, even pale; the eyes deep blue, but with a hard, unnatural gleam which showed her errand was not a joyful one. A jockey hat, evidently a recent purchase from a San Francisco milliner's, crowned a small, shapely head which was graced with a profusion of rich golden hair, which swept down over her shoulders, quite to her waist. Altogether she was very comely, but bore traces of recent suffering, and mental disquietude.

Spanish Jack assisted her to dismount.

"You are looking well to-day, Clara," he said, eying her curiously.

A gleam of pleasure for a moment, brightened the beauty of the blue eyes, but her tone was sarcastic as she said :

"Thank you, Jack. It is quite unnecessary to apply that remark to you."

"Thanks." With this sententious acknowledgment of the doubtful compliment, he pocketed his hands, and gazing off toward a distant line of snow-capped peaks, began to whistle; plainly the meeting was not an agreeable one.

A pause ensued of ten minutes' duration, during which the face of the woman became sadder in its expression. Several times, earnestly gazing at the young robber, she essayed to speak, but checked herself. At last, wearied with Jack's inattention, she said, merely to relieve the silence :

"How blue those distant peaks are, Jack.

"Very."

The white hands trembled as Clara bent her pliant riding whip, nervously, and her full, red lips quivered. A disagreeable topic was to be broached, and each waited for the other to do it. Spanish Jack drew another *cigarro* from his pocket, and as he lighted it, she said, softly :

"Those are the cigars I bought for you when I was at the city. You said then they were splendid—do they continue so?"

"Yes, they are very nice."

Another long, dismal pause ensued, during which both were evidently ill at ease. The robber occupied himself with his cigar, while his fair companion nervously snapped her whip.

"Jack," she said, at length, and drawing near him, "have you made any money to-day?"

"No."

"Were you on the road?"

"All day. I saw no one."

"That's unfortunate, Jack."

"Yes."

Still another embarrassing silence. Clara Holloway set her lips closely together, and her face grew paler as she drew closer and rested her hand affectionately on his shoulders. The ice was to be broken.

"Jack, I see by your face you are going to cast me off for that ugly old thing at Horseshoe Ranch."

She paused, awaiting a rejoinder; but none came. The face of the robber was stern and cold.

"You are, and I know it. Jack, have I become distasteful to you--have I lost that which you used to call my witchery?"

There was a yearning sadness in the tone, growing yet more melancholy as she went on, with both hands clasped gently on his shoulder.

"Jack, I have always done my best to make you happy. When you were ill I watched over you, closer than any one else could. When you were unhappy I cheered you; and, oh, Jack! I gave up home, friends, reputation--everything for you."

Again she waited for him to speak, wistfully hoping he would; but calmly puffing his cigar, he inspected the distant peaks and listened as she went on.

"Jack, you told me once (not long ago) that nothing should ever part us. I believed you then, dear, just as I would if you should say it now."

He did not say it, though a world of womanly tenderness streamed out from the saddened eyes.

"Why do you turn away your head, Jack? Am I a source of abhorrence to you?--do you want me to leave you? If you do, I will go away."

Partially turning, but without lifting his eyes from the distant snow-capped peaks, he gestured negatively.

"Jack, three years ago I left my home--my mother--my good name--and all for you. Men don't know what women sacrifice sometimes, dear, for those they love."

Spanish Jack suddenly became aware that his cigar had lost its fire. He relighted it dexterously in the face of the wind, and smoked away, calmly.

"You used to tell me, dear, that you had never seen one so beautiful as I, and you don't know how happy it used to make me, for I'm a woman, after all. I rejoiced in my beauty then, for it held you to me. Did it not, Jack?"

He gravely bowed and chinked a few odd coins in his pocket.

"Have I lost it? I looked in the glass earnestly this morning, and I did not think so, though I looked haggard. You know what makes my face careworn lately, Jack."

He gestured impatiently.

"Jack, when I left my home forever—forever, dear, for I can't go back now—for you, then you said you would always love, cherish, and care for me. You have done it, Jack, until lately, but now you seem to have found some one you love better than me."

It was a sad, mortifying confession for a woman to make; he did not disclaim the assertion, but smoked quietly.

"Before you cast me off, think of what I have done for you. Think of the nights I have gone out on the mountains, almost freezing with cold, watching the whole night, while you slept. Think of how I've given up all pleasure, and clung to you here in these lonely mountains, without seeing a woman's face for weeks—for you. Remember how I nursed you and saved your life when there was a bullet in your breast; of the many times I have walked to the city and back that you might have delicacies; how I've baffled the many attempts to take your life, else you might have been dead now; oh, Jack, Jack!"

He turned now, as her voice failed, and saw hot tears streaming down her cheeks.

She sprung to him, and throwing her arms about his neck, sobbed wildly on his breast.

"Jack, dear Jack, I know, after all I've done for you, and when you think how dearly I love you, and how you once loved me, you haven't the heart to cast me off: I know you haven't—please, dear, tell me so."

He did not, and barely tolerated her embrace.

"Jack, I can not live if you leave me, and I don't want to. After all I've done for you—oh, Jack, Jack!"

"Here's a devil of a fix," the robber thought. "I didn't think she would feel so badly over it. But it's of no use—no use."

She lifted her face to his, and tried to wind his arms about her neck, and nestling close to him, rained a shower of kisses on his cold lip.

"Oh, Jack, I can't bear this—it will drive me crazy."

The robber's eyes flashed angrily. Suddenly dashing the tears from her eyes, she looked up, and saw the angry gleam in them. She instantly drew away from him, and endeavored to compose herself.

"Jack, we will end this here. I want an answer—yes or no. Are you going to cast me off?"

"Why, Clara—"

She stopped him, imperatively.

"Are you going to cast me off?"

Personifying sorrowful suspense, as only a grief-stricken woman can, she awaited in piteous silence his answer.

He gravely bowed assent. A sudden spasm shook her entire frame, but passed away.

"I thought so. Kiss me once and for the last time—a farewell."

He soberly and quietly bent and kissed her. She clung to him for a moment tightly. Then, with her hot tears streaming down her cheeks and blinding her, she vaguely grasped for her pony; and feeling her way (for she could not see for her tears) mounted.

"Good-by, dear."

"Adios, Clara."

Almost crazy with grief, she turned the pony's head up the canon. Scarcely knowing what she did, she was riding slowly away, when a tune, hummed by the musical voice of Spanish Jack, caught her ear. Dashing aside the blinding tears, she reined in, and looked back.

The robber was facing her and lighting a fresh *cigarro*. As he stood awaiting the consuming of the sulphurous tip of the match, he looked after her and sung in a low, rich voice the old couplet:

"'Tis well to be merry and glad,  
'Tis well to be honest and true;  
'Tis well to be off with the old love  
Before you are on with the new;"

The last straw broke the camel's back.

## CHAPTER VI.

## A PEREMPTORY DEMAND.

On the same afternoon, but several hours later, a rude hut, situated on a mountain side, and near a road which communicated with the mines from the Sacramento valley, was the scene of boisterous gayety far different from the suffering and sadness recorded in the last chapter.

The hut stood in an expansion of a sequestered canon with precipitous, pine-covered walls; which density of foliage, united with the narrowness and depth of the canon, excluded the sun's rays even at midday, causing a somber, melancholy, damp gloom to pervade the entire ravine. In this dark, brooding atmosphere, avoided by all animals save the boding owl, which was wide awake and hooting here at noonday, stood the hut; removed from sight, away from sound of the outer world, except when the wind stood in a southerly quarter, the rattling of wheels and the sharp command of some irascible driver came faintly wafted by the breeze from the adjacent stage-road.

The hut, like its surroundings, was gloomy and forbidding, being a windowless, thatched arrangement of sticks, stones, pine boughs and an adobe chimney. It was carelessly and unskillfully thrown together; insomuch had any prowler been so inclined, by putting his eye at any one of the numerous gaping cracks in the walls, he could command an uninterrupted view of the single room.

The sun had been down an hour or more; and though aloft on the mountains the daylight still lingered as if loth to depart, here in this ghostly canon, darkness had entirely fallen. As day finally departed from the distant snow-capped peaks and night dropped over them, a solitary horseman quitted the stage road on which he had been riding from the direction of Sacramento, and turning his horse's head up the canon, boldly rode into its gloomy depths, as if well acquainted with, and having no fear of, the place he was entering.

A quarter of an hour's steady riding, and he halted at the edge of the expansion of the canon, in the center of which stood the hut. He listened acutely, eying the hut, as if, before proceeding, he desired to convince himself of the safety of so doing; but hearing roars of uncouth laughter, and the merry clinking of glasses in the hovel, and seeing the slanting rays of yellow candle-light which burst through the wide cracks, he quitted his stealthy air and boldly rode up to its very walls.

He dismounted in silence, and leisurely quaffing a draught of liquors from a wicker flask which he drew from his breast-pocket, left his horse to browse at will, and with some degree of caution approached the hovel. At a wide, gaping crack in the wall he paused, and placing his eye at the aperture, surveyed at his leisure the revelers within.

Spanish Jack (for he it was) evidently saw or heard something which he desired to know more of, for he settled himself on his legs as if in anticipation of a period of eaves-dropping, and watched and listened vigilantly.

The hovel boasted of a single dirty room, containing several rude chairs, a couple of rough tables, a cupboard and three coarse floor-laid pallets. Sitting at the largest table were the three occupants.

They were a handsome, muscular young man, a woman, and a coarse, dirty, boisterous fellow who seemed to be doing the honors of host; for he was expatiating in glowing terms of the good beds, good company and good cheer of his taverna frequently calling upon the woman for corroboration.

She, however, did not answer him. She was with the revellers at the table, but not of them, as she was not participating in the mirth. She was dressed in a riding-habit, which was disordered and neglected. Her golden head was bowed upon the table, between her outspread arms, and her beaving bosom which at intervals emitted a sob showed she was far from mirthful.

The host was a tall, powerful man, with a coarse, bewhiskered face, in which gleamed two little gray eyes which snapped with petty wickedness. He had a hang-dog air about him which would have drawn him, had he been in a city, at once under the supervision of the most obtuse of drowsy po-

icemen. He was evidently not on amicable terms with water, for if ever a man was scaled like a fish, this one was—though with that dust to which he would at some time return, thank God! for his name of names was Fowle.

What was Albert Winton doing here in company with such an object? He scarcely knew himself, and certainly wished he was away. He had met Fowle on the stage-road, at sunset, and on inquiring the way to the nearest tavern or ranch had been chucklingly informed that a nobby one was close by; that he himself kep' it; and if he did say it, he that shouldn't, there wasn't a better hotel in Californy for good wholesome accommodations.

And so, though not prepossessed with the fellow's manner, he had followed him to the hut, not knowing he was putting himself in the hands of the accomplice and hireling of the very man he was seeking—Spanish Jack.

They had evidently just finished supper, for the remnant of a coarse repast was on a smaller table, across the room. They were entering upon a night of Bacchanalian revelry no doubt, for upon the table between the two men were placed several black bottles, and corresponding dirty tumblers, the latter empty.

"Fill up your glass, pard!" roared the dirty landlord, Fowle. "Fill up with a smasher while I toast. Here's to a long life, a merry life, and never say die."

Winton's face did not reflect his coarse companion's boisterous mirth, for he was a gentleman, and experienced a gentleman's lively disgust at the fanfaron's behavior; but recollecting his mission he forced down his loathing, and with as good grace as he could assume, tossed down the fiery, poisonous liquid.

"Don't stent yourself, Governor!" yelled Fowle, refilling his glass. "Here's whisky, Californy brandy, white ditto wine, whack from the Sacramento valley, red ditto ditto from the City of the Angels, and rum and gum. Rum and gum for me, old rooster—what'll yer take for yourn?"

Winton thought he would relish taking his departure, but he knew of no other shelter, and though it was midsummer, the mountain air was frosty and biting. His horse too, stood in need of the hay he was munching under a tree; and

with a sigh he poured a little of the white wine (as being the mildest liquor, for he was abstemious) into his greasy glass.

"You don't drink deep, old buck, my boy?" roared Fowle, as his cunning little eyes observed Winton's diminutive bumper. "Never mind though, commodore—every man's his own boss in this ranch. Want a cigar to make a variety?"

"Thank you," returned Winton; "I am obliged to you, but I have some."

"Ain't you much of a smoker, sultan?"

"No. I seldom smoke."

"Smokes little and drinks less!" yelled Fowle. "Oh, what a Californian! Want a game of cards?—poker, whist, cribbage, Tommy-come-tickle-me—any thing you say. I play every thing."

"No;" returned Winton, tartly.

"Ha! ha! oh what a gambolier. Let's have a toast then—any thing to keep the mill a-going. Here's one—fill!"

Taking the fire in preference to the frying-pan, Winton poured out another small bumper of the white wine, which was very palatable after all, as all California light wines are. Fowle took an enormous quantity of "rum and gum."

"To be drunk standing?" shouted Fowle, starting up. "Stand, brother."

"God forbid that relationship?" mentally murmured the young man, rising. "Oh, you are a treacherous varlet!"

During this time the woman (as indeed she had from the moment of Winton's arrival) remained with bowed head. He had not seen her face, but judging from her luxuriant golden hair and white hands, he reckoned her comely. Fowle glanced at her maliciously.

"Here you are!" he said, clinking his proffered glass with that of Winton's. "Here's to woman—lovely bewitching woman, and 'specially golden-headed blonde ones. Drink!"

But he did not, for the woman with face a-flame started suddenly to her feet, and reaching over the table, dashed, with a quick, vigorous blow the glass from his hand, where it shivered on the floor.

"Take that for your russanism!" she cried, angrily. "And hereafter have a care of whom you speak!"

The ruffian started back, awed into cowed silence. As she stood defiantly before him Winton noticed she was very beautiful, and the eyes were red and swollen with violent weeping. He was undecided whether to interfere; but before he had made up his mind, the sudden tempest subsided, and she withdrew to the supper-table, and bowing her head wept bitterly. Spanish Jack's cold desertion had overwhelmed her with grief, for she was the quondum mistress of the robber, and loved him passionately.

Fowle-smiled forcedly as the fear of Spanish Jack's anger presented itself, and approaching Clara, endeavored to appease her indignation by a humble apology. She made an impatient gesture, at which he withdrew and said in a whisper to Winton:

"She's had a flare-up with her sweetheart and don't feel over chipper, pard—that's all. She'll soon get over it—noisy brooks don't run deep."

With this metaphorical reference to the unfortunate woman's sorrow and sobs, he drew his chair to the table; but before sitting, he charged his glass with liquor and elevated it.

"Miss Clara," he said, mellifluously, "here's hoping you'll always be happy."

As he was drinking his toast she raised her head, and wringing her hands wildly, with tears streaming down her cheeks, and a haggard, grief-stricken face which seemed to confirm her assertion, said:

"There is no more happiness for me in this world—no more!"

He was about to remonstrate when Winton motioned him to desist. Though unaware of the cause of her grief, he saw it was sincere and deep, and with a gentleman's delicacy left her to wrestle with it. Sinking his own comfort and sensibilities for the sake of hers, he again sat down and recklessly filled his greasy glass with wine. Fowle, glad to divert his thoughts from Spanish Jack's wrath (being unaware of the separation) joined him, and by way of diversion, volunteered the recital of reminiscences of his susceptible days; but as the subject did not give much promise of chastity of language, Winton declined.

"Well, General," observed the coarse landlord, on whom the night's liquor seemed to have had no effect, "since you won't hear a story, p'r'aps you'll hearken to a song, for I'm a rattler at music."

"So is a jingling piano," thought Winton; but he said nothing.

Rat-tat!

"Hello!" cried Fowle. "Some one knocks when all is still, and the cry of the owl is heard on the hill—who's there?"

All was quiet. As Winton's gaze chanced to rest on the woman, she suddenly raised her head and looked fixedly at him, but whether meaningly or in intense listening, he was unable to divine. But she immediately sunk her head again as Fowle returned to the table, and to all appearance had not stirred.

"Some woodpecker has got into the bad habit of keeping late hours," Fowle said, jocosely; "and now I'll sing you my song."

Rat-tat-tat! there was an unmistakable knock at the door.

"Well, I'll be dratted!" exclaimed the bully, leaving the table. "Some one's outside."

Again Winton glanced at Clara, to see if the gaze would be repeated. She again raised her head, and as Fowle's back was turned, she shook her uplifted finger at him so earnestly and with such a warning, cautioning gesture, that he became alarmed. He felt sure he was in bad company.

Fowle opened the door and stood on the threshold, peering out into the darkness.

"Why, there's no one here," he said.

As he spoke, Winton fancied he detected a vague, sudden whispering without, and fearing evil, put himself on the alert.

"By thunder!" said Fowle, "I can't see no one; but I'll take a turn round the house, to make sure. It's a lonely place here, and there's no knowing what customers—"

He was gone, tramping round the house. No sooner had the door closed than Clara was at Winton's side, with her hand on his shoulder, and her face glowing.

"For God's sake, sir," she whispered, in earnest adjuration, "leave this place at once, while you can—alive!"

Fowle had already made the circuit of the small hovel, and they heard his footsteps approaching the door.

Noiselessly she glided back to her seat, and Fowle entering, found her head bowed as usual. But he scowled fiercely at her, nevertheless.

"It's nothing," he said, carelessly, "only a pine bough hitting the door. I heard it last night, but didn't mind it."

He refilled his glass, pouring some of the white wine into Winton's tumbler, as if in absent-mindedness.

"Keep the ball rolling, brother!" he said. "I've got another toast. Here's to a rapid and short road to glory and—wealth."

At the last word, the door suddenly swung open, and a powerful young man stalked into the room. In his outstretched hand he clasped a large revolver, and that weapon was bearing upon Winton's head.

"Good-evening, sir," remarked the stranger, pleasantly, in a rich voice. "I will trouble you for your money."

"Or your life!" and Winton, turning, saw Fowle leaning wickedly over a revolver, which he coolly pressed against the young man's temple. "Or your life, commodore!"

## CHAPTER VII.

## A FRENCH PROVERB.

RECOLLECTING Mr. Spalding's description of Spanish Jack, Winton at once recognized the stranger as that person. His spirits rose, notwithstanding he was covered with two revolvers.

As he gazed in admiration at the warrior-like bearing and symmetrical form of the robber, he felt a thrill of pride at the thought of the acclamations with which he would be received on his return to the city with the formidable robber as a captive.

He was not building air-castles, nor "counting his chickens before they were hatched;" for he had resolved to pit daring against daring, and cope cunning with stratagem, and being in the right, could scarcely fail to achieve his purpose.

Our hero was fully the brigand's equal in resolution and courage, and was blessed with a well-oiled brain, and, with the spirit of an ancient cavalier, longed to capture him. At present, however, the realization of his aspirations seemed far distant; for his intended and possibly subsequent prisoner now had him at the muzzle of a large revolver, while the "statue of dirt," as he revengefully styled the treacherous Fowle, was pressing a companion against his head.

However the second most uncertain thing in everyday life is the morrow's events; while the first and most impossible is to discover the whereabouts of a cricket by his thrilling serenade. So thought Winton, as he made no response to the peremptory demand of the bandit, nor did he change color at the chilliness of the muzzle of the pistol at his temple; but returned the keen, sharp gaze of the robber with a steady, critical stare, inspecting the brigand's exterior with that peculiar air inseparable from an old lady in a dollar store.

The robber became impatient at the prolonged stare. "Come, disburse!" he commanded. "Make haste!"

"If you want my money, why don't you take it?" reported Winton. "You can easily do it, you two, can't you?"

"Certainly, sir," was the urbane but slightly acidulated reply. "We can do any thing; but prefer to have you disburse—it seems like collecting an outlawed debt—eh?"

"You are a petty punster as well as robber then," sarcastically observed Winton. "I should think, upon looking at your eye, that writing sentimental rhymes for the country newspaper would be more to your taste."

"Perhaps you think this a comedy for your especial benefit," said the robber, sharply. "You will soon find it high tragedy if you are not careful."

"Ah!" was the cutting response. "I was mistaken, then, in your profession. By your technical language I should judge you have been on the stage. Were you second walking-gentleman, or scene-pusher? If you were a trifle more robustious, you would make a capital clown or a laughable Pantaloons, and I've listened to talent in my day."

"Dry up, governor!" roared Fowle, over his revolver. "Money or your life."

"Stop that bawling!" sternly commanded Spanish Jack. "If you don't you'll get into trouble. The stage-road is not far distant, recollect."

Fowle relapsed into silence. The robber's face grew sharper in its expression.

"You take this very coolly, young man," he said. "Do you know whom you are addressing?"

"I do:—Spanish Jack, the modest personage who charged four thousand five hundred dollars for saving a man's life."

The robber's face relaxed into a humorous expression.

"Jove! but you are a bold fellow!" he said, in admiration; then his face grew stern again.

"Do you see that?" he demanded, projecting the mouth of the revolver within two inches of Winton's eye.

"Yes," replied the young man, nowise taken aback, and critically surveying the black muzzle. "It's a grooved bore, is it not?—they are very accurate weapons. How much did you pay for the instrument?"

The robber drew back with a warrior's admiration of nerve and courage.

"You are a brave one!" he said. "Brave as steel. I would like to have you for a partner—I would, for a fact!"

"Will you go halves if I join?" asked Winton.

The robber perceived the tone was sarcastic, and decided to deal summarily with the dauntless young fellow. In his brief but stirring career, he had conquered many men, and there are very few timid men in California. He had met sturdy freighters, rampant and reckless miners, brave and daring hunters and stock-men; but in his varied experience, he had never before stood face to face with such coolness and courage; why, to crown all, he seemed to enjoy the proceedings as if he and the robber were vice-versa. This young man was altogether too self-possessed—he might have friends at hand.

"Come, now," sharply said Spanish Jack, resolved to terminate the argument. "Your money!"

Hitherto the woman, Clara, had been a silent but interested spectator but now she advanced. Interposing her fragile form between her recreant lover and Winton, she said, firmly, with a curl of her lip toward the former:

"He is just as brave and handsome as he can be, and I shall not let him be harmed."

Spanish Jack's eyes glittered.

"You are taking a deal of authority into your hands, it seems to me, Miss. Recollect your utter disconnection with me."

She retorted defiantly:

"I do, and am proud of it, and sorry I ever knew you. But I can't stand quietly and see a brave, handsome young gentlemen ordered about by a couple of homely, cowardly thieves, who, notwithstanding they are two to one, have to use revolvers, and then can't frighten him." And with this remark she smiled graciously at Winton.

The robber was versed in the wiles and caprices of the sex. He perceived that this sudden ostentatious *penchant* for Winton, and scorn of himself, was but assumed in pique; and knew that beneath the fictitious exterior her heart yearned toward him, and should he only smile on her, she would leap into his arms for joy.

"You can have your handsome, brave young gentleman,"

he quietly said, "after I am done with him, which will be in a few moments. It is a pity he will have to undergo rolling on the ground like a log, is it not, senorita? Just go outside, will you, for we are about to search him."

She donned that incomprehensible stare which is peculiar to woman (and in which every lineament of the face seemed to have a myriad of staring eyes) as she would have put on a bonnet, and, folding her arms, plainly looked: "I won't go."

"Put her out, Fowle," quietly said the brigand.

"Stop!" she cried, as the bully swaggered toward her. "The sight of your vile and filthy face approaching, is the only thing that could force me to leave. Oh, what a nice pair of brave men—to stand over a young gentleman with revolvers. Good-by, Spanish Jack—outlaw—thief—homely coward!"

With these Parthian arrows, she curled her lip at her former lover, and daintily gathering the skirts of her riding-habit, lest her apparel should become contaminated by the presence of the robber, she swept out of the door with the air of a queen, and, having preserved a dignified front to the last, now abandoned herself to wild weeping against the wall.

Her sobs were distinctly audible to those within, and Spanish Jack, after listening to them for a moment with a derisive smile, turned to his robbery.

"Politeness and courtesy are thrown away on you, sir!" he said to Winton. "You need brute force. Now lie down, sir."

Winton was plainly in two minds about obeying, but after a short hesitation, smiled knowingly, and did as required. Though the robber was surprised at his unlooked-for compliance, he went directly to work over him.

His first care was to divest Winton of his revolver and a clasp-knife which lay snugly in his pocket, and having disposed them in his own belt, and convinced himself of the young man's entire lack of weapons, he knelt and commenced a thorough search through his pockets.

In the three coat-pockets he found a tooth-brush, handkerchief, and a dozen cigars. In his waistcoat he was rewarded

by finding a block of matches and a toothpick; while from the pantaloons's pocket he abstracted a small penknife, some revolver-cartridges and percussion-caps, a pair of clean stockings, and lastly a purse containing fifteen dollars, gold.

He was greatly disappointed, for Albert's bearing showed him to be a person not unaccustomed to large sums of money. He tore off the young man's coat.

"Grin, will you?" he said, fiercely, as Winton watched the proceedings with a broad smile of actual enjoyment. "Laugh away—there is a French proverb which says, 'he laughs best who laughs last'; which will be Spanish Jack, I'm thinking."

In a few moments Albert was almost entirely denuded of clothing, nothing remaining on his body excepting his under-clothing.

With a precision and dispatch only acquired by long practice, the robber deftly rummaged the loose clothing, but in vain; no money did he find. He next searched the lining of the hat, ran his fingers through Winton's curling hair, and thoroughly inspected his flannels, and, finding nothing, jerked off his boots.

He betrayed no annoyance, as he knew it would tickle Winton if he lost his temper. After he had divested Albert of his boots, the latter lying as helpless and clumsy under the operation as a dead man, he filched a moment from the proceeding in which to leisurely light a cigar, which done, he fired one of Winton's and placed it into his mouth, with as much ceremony as if he had been a lord.

Winton thanked him, and puffed away lazily, indolently watching the proceedings.

Spanish Jack enjoyed his *cigarro* for a moment, then, taking the boots in his hand, shook them, expecting to see gold rattle out.

But he was again disappointed for no money did he see, although in the very act of shaking the boots he was clasping two hundred dollars in each hand. For the boots were heavy, and the soles were thick and double; and between the inner and outer soles of each boot, ten twenty-dollar pieces lay snugly perdu. Four hundred dollars were between his fingers, and the bandit did not know it.

"Can't you find any?" tantalizingly asked Winton, with another broad smile which ended in a hearty laugh. "Why don't you laugh, Brigand, as you promised, according to your French proverb? I am laughing last as I also did first."

The bandit smothered his indignation with a violent effort, and endeavored to look unconcerned, as he said to his triumphant foe:

"Ah! you are a slippery one, partner; and you have got coin somewhere, too; and were you not as brave and plucky, as you unfortunately are, I would torture the confession from you. But your bravery, though vain-glorious and foolhardy, has saved your life, as it *perhaps* did your money. All honor to courage, say I!"

Winton laughed loud and long. "Diamond cut diamond, Brigand—you cut me and I cut you. Your health, brave Brigand!"

He tossed off an imaginary bumper with infinite gusto, which maddened Fowle, as all the profit which accrued to him was a moiety of the spoils taken in his hut; and this being the only capture he had made for a week, aggravated him by its barrenness.

"Let's mash his head until he lets on where it is," he suggested, eying the prostrate but triumphant young man malevolently. "I thought he was green, but I'll be dratted if he is. Let's kick him."

"You touch your foot to him and I'll kick you out of your own dirty hovel!" savagely threatened Jack, venting his pent-up spleen on a worthy object. "All honor to courage, nerve and strategy say I."

"Hark!" whispered Fowle, earnestly.

## CHAPTER VIII.

## CAPTAIN CAPRICORN.

"WHAT do you hear?" demanded the brigand, listening for any sound without.

"I heard a voice," said Fowle, in an attitude of attention; "I heard a long cry—a hail—'hal-loo'!"

"Are you sure?"

"I wish I was as certain where this chap's cash is!" declared Fowle, with an angry glance at Winton, who was dressing under the revolver of Spanish Jack.

The robber ordered him to reconnoiter. "Go out into the canon," he said, "and if he, whoever he is, hails again, answer him. If there is only one voice, meet it. If the fellow looks dangerous, let your revolver off by accident; if not, bring him here. Jove! I don't see what brings a man into this lonely canon at this time of night."

He referred to his heavy gold watch.

"Ten o'clock, and all is dark as a pocket without. I guess there is somebody lost by the way he shouts."

As he spoke, a long, sharp cry, but quite distant, came wafted down the canon by the north breeze. Fowle clasped his revolver and stalked out into the ghostly, brooding canon. The brigand snuffed the candle, and drawing a chair to the table sat down, and as Fowle disappeared, said to Winton:

"You look like an honest man, sir—are you a person of honor—of your word?"

As Winton twisted the last button into its place and stood dressed again, he said, abruptly, "Yes."

"Good! Now which will you do: give me your word as a gentleman (I know you are one) that you will not injure, molest, or endeavor to frustrate any of our plans, or do harm to us, or get a bullet-crease on your skull above the ear which will stun you for an hour or more? If you promise not to leave this house or interfere with our plans you are released on parole; otherwise—"

Winton had no alternative—he promised. The revolver was immediately withdrawn from his head and replaced in its holster, and he was free to roam the hut.

"Draw up a chair and have some refreshment, sir," invited the bandit, courteously placing a chair for Winton. "Here's liquor, rather mediocre, but still it is liquor, Mr.—what may I call you?"

"Smith."

"That of course is an *alias*," said the robber, quaffing some red wine, "but it will do. Make yourself as comfortable as possible, Mr. Smith—you can be jovial company if your face is any criterion. Come! be jolly now until friend Fowle comes back."

Winton filled his glass, and finding Spanish Jack had temporarily abandoned his stern demeanor for a more genial one and which best became him, quietly drank his health.

Spanish Jack rose and responded gracefully in a neat, racy speech, proving by his urbane manner that when so inclined he could be a sprightly and desirable boon companion.

"Mr. Smith," he said, in a careless, cursory way, when he had seated himself, "if Fowle, on his return, is accompanied by a person who appears to be worth the trouble of plucking, we will ease him of his cash. I tell you this merely that you (knowing your own interests of course) may govern yourself accordingly, and make no sign which may impede us. We undoubtedly shall not shed blood—we never do except in extreme cases where the other party is obstinate and unaccommodating, and resists. You understand, Mr. Smith?"

Winton replied in the affirmative, although the prospect of standing quietly by and seeing a man deliberately robbed by the very bandit he was seeking to apprehend, was in the highest degree repugnant to him. But it was necessary for his personal safety to acquiesce, and he did so, though unwillingly.

"Here comes some one under guidance of our friend Fowle. God Grant he is lined with gold," said the robber, fervently.

Voices were heard outside, a sharp, querulous tone mingling with Fowle's basso, and soon footsteps were heard at the door. The robber snuffed the candle, took a hasty draught of brandy,

laid his cigar on the table, and placing his hand on his revolver faced the door.

"Here you are, governor!" resounded the discordant voice of Fowle at the door. "The best hotel in California is before you though it looks rather rough outside. Good beds, good liquor, good company, good grub, entertainment for man and beast—no innkeeper can say more. Enter, admiral."

The door swung open and Fowle entered, preceded by a little fat elderly man, swathed in a superabundance of wrappers, and evidently not on amicable terms with the frosty night-air. His little red and chubby face incased in a scrubby thicket of red whiskers which covered his entire face except the eyes, made the latter look (to use a rare old simile) like a rat peeping from a bunch of oakum. His snub nose was most pragmatical and querulous; his eyes, shining like amber oeads, aided and abetted it; his cheeks, what were visible through his whiskers, proclaimed by their mottled surface an apoplectic nature; altogether he was a most whimsical-looking personage.

Who ever heard of a fat man who was of a surly disposition?—they are as rare as religious horse-jockeys. But here is one—Captain Capricorn, of the second Maine militia.

"Mr. Harkaway," said Fowle, endeavoring to assume the manner of a gentlemen but failing miserably, "this is Captain Capricorn, of Portland, Maine, who got left by the western stage at Cedar Canon, and got lost trying to catch up. Captain Capricorn, Mr. Harkaway and his friend Mr.—"

"Smith," added the robber.

"Mr. Smith, Captain Capricorn; Captain Capricorn, Mr. Smith, Captain Capricorn."

"They'll know my name after awhile, won't they?" snarled the doughty captain, who was evidently in a bad humor. "Why hain't ye got a fire? I'm most froze."

"Judging from your name," observed Spanish Jack, with great politeness, "a fire is superfluous. May I inquire, Captain Capricorn, if you ever had a cancer?"

To the surprise of all, the little warrior began to behave in an extraordinary manner. He tore off his hat and stamped upon it, swearing excessively; he threw his arms wildly about and his rubicund face swelled almost to bursting.

"Again I still here! always I can't get out of it, nowhere I go!" he exclaimed in a violent rage. "No use! will commit suicide! will shoot myself to-morrow at the reveille."

"You seem to be laboring under strong emotion," said Spanish Jack. "What is the cause?"

"You!" the captain snapped. "You! no one else! go drown yourself, or I'll suicide to-morrow morning at six o'clock. Zounds!"

"This is very extraordinary!" said Winton. "Captain, what *is* the matter?"

"Always—wherever I go. Ever since I was born, damme! 'Captain Capricorn, did you ever have a cancer?' a miserable joke. Came from Portland, Maine to get rid of it, and the first minute I strike California it's: 'Captain Capricorn, did you ever have a cancer?' S'death! it'll drive me crazy!"

"Why don't you change your name?" gruffly asked Fowle, in the act of drinking from the bottle of rum.

"Zounds, sir! I tried it and couldn't do it. Why, blast it, the legislators of our country don't have no regard for a man's peace of mind. Bill didn't pass—fees, one hundred dollars."

"Take an *alias*, then," suggested Spanish Jack, smiling over his cigar.

"And get arrested?—no sir, egad. Never. But I'm hungry, landlord, and devilish cold. Stir your stumps, sirraff—fall in. To the right—oblique—march!" and he waved majestically toward the fireplace, looking longingly toward the supper-table.

"This man is mad!" whispered Winton to Spanish Jack.

"No, no—pompous and eccentric; that is it in a nutshell. We'll lift his purse in about one minute, Fowle!" he added, sharply.

"Ay-ay, Mr. Harkaway!"

"Give the gentleman something to drink while he is waiting for his supper."

Fowle pointed to the liquor. "Captain Capricorn, here's brandy, rum and gum, red and white wines, and whisky; which'll you take?"

The little captain's face brightened, and in anticipation of a drink he entirely forgot his choler.

"Got any New England rum?" he asked. "With some hot water and sugar?"

"We've got the rum and sugar, and the hot water'll soon be ready," returned the bully. "Mr. Harkaway, what'll you take?"

"The gentleman's money!" replied the robber, rising and leveling his revolver at the captain's head. "Captain Capricorn, I'll trouble you for your purse."

"Eh!" ejaculated the little man, wheeling.

"Or your life!" growled Fowle, executing the little by-play which Winton had experienced.

"Zounds, sirs! what do you mean?" demanded the warrior, astonished at finding himself under the muzzle of two wicked-looking revolvers.

"Just what we say," responded Spanish Jack, with a smile. "We want your money."

"Why, blast it!" thundered Captain Capricorn. "S'death, sirs, unhand me! ground-arms!"

But to the disgrace of his military authority he was grounded instead; for Fowle, perceiving he would make an ugly customer, suddenly tripped his feet from under him. As he fell like a bundle of grain, Spanish Jack was upon him in a twinkling; and while Fowle held the now furious captain, he thrust his hands into the pockets.

At the very first he was successful, withdrawing a double purse laden with gold.

But he stopped not to dally in counting it but continued his search.

He found nothing else, however, though he rummaged the captain's clothing through and through. When he had finished, he hurriedly counted the money, and chuckled at the amount — twelve hundred dollars.

He pocketed the purse and opened the door.

"Put out the light, Fowle!" he said.

The latter overturned the candle and the bandits fled, tumbling the doughty little warrior into a corner, neck and heels, as they did so.

They evidently dropped something in their hasty flight, as a weighty article fell from Spanish Jack upon Winton's foot, temporarily laming him.

"Zounds! devils! murder! stop thief!" gasped the victim, as, struggling to his feet in the darkness, he heard hoof-strokes rattling down the canon; the robbers were in full retreat.

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## CHAPTER IX.

## ON THE TRAIL.

CAPTAIN CAPRICORN was an ignorant man, and in keeping with his ignorance was extremely prejudiced and bigoted. The idol he worshiped was Power, and Wealth was the pedestal on which it was to be constructed; and he accumulated this latter as rapidly as he could, hoarding it with vigilant cupidity.

At one time of his life, he had, in a moment of youthful indiscretion, read a single book—sheet waste of time—an English novel, crammed with blunt, old-fashioned oaths. Next to his god and demi-god, he worshiped this book's characters, and wishing, like many another ignoramus to be considered odd and singular, unlike the common herd, he adopted these oaths and expressions, with which he carefully interlarded his speech.

As the novel's hero had risen from the obscure position of butcher's boy to the pride and pomp of major-generalship, so he, in imitation, had, from the vagabond life of a bootblack, soared to the proud eminence of a captaincy in the Maine militia—though it must be confessed he paid an annual sum for the honor.

Well aware of the grandeur of his office, he was inordinately domineering and contumelious; and venturing, several hours ago, to dismount from the stage at a watering-place, in defiance of the conductor's warnings, now found himself afoot, robbed, and in extreme rage.

As Winton struck a light and relighted the candle, the captain, purple with passion, directly accused him of complicity in the robbery, in language not remarkable for elegance or even decency.

Had he been other than a dwarfish old man, he would have been knocked down; and as it was, was in a fair way to have his nose tweaked, when the outer door opened, and Clara came in from the night.

Winton, red with anger, was hurling the accusation back into the captain's teeth, and the latter was swelled almost to bursting with the violence of his anger.

Clara quietly listened until she understood the situation, and then interposing, soon established Winton's innocence with the captain, and appeased his wrath, though it was due more to her beauty and plausible speech than to his susceptibility to reason.

The strife was again renewed by Winton remarking sarcastically, to himself, that the captain was a little pot and soon hot, which so infuriated the latter that he swelled like a crazy balloon.

Clara had evidently a definite object in view, for she hastened to terminate the wrangle by remarking that if they chose to follow her, she would guaranty the recovery of the stolen money.

This instantly quelled the quarrel, and suspending hostilities temporarily, they eyed her askance.

She had witnessed the robbery through a chink, she said, and had noted the bandits' flight, and now offered her services, promising a speedy recovery of the money. Though she loved Spanish Jack to adoration, she was a woman, and suffered a woman's mortification and humiliation in being cast off like an old plaything. She was smarting under it now; and in the intensity of her feelings, was quite willing to annoy and torment her lover to any degree short of absolute ruin.

"If you two men," she said, "will follow, and promise me you will not shrink from possible danger, I will take you to their den, which is not above a league distant. Will you follow?"

Winton nodded.

"Zounds, maddymoysell," exclaimed Capricorn, with his hand on his heart. "You hint at danger and at our fear of it. Madam, I'm captain in the Second Maine. Danger, indeed! I love it."

"I am glad to hear it," she said; but she set him down as a great coward. "There is your revolver, sir," she said to Winton.

He looked down, and saw the article at his feet, where it had been dropped by the polite brigand in his exit. He replaced it in its scabbard, and signified his readiness to start.

When they emerged from the hovel, Winton found to his dismay that Fowle had ridden his horse away. This reduced him to the necessity of walking, and he vowed double vengeance on the dirty varlet.

Clara's bay pony stood champing under a neighboring tree. She quickly mounted and pointed to the sky.

"See," she said; "the moon has risen, and it must be after midnight. Hurry, gentlemen."

Winton, with a hand on his revolver and an eye on his conductress (for he was apprehensive of a trap), sturdily strode after the quick-stepping pony, followed by the corpulent militia-man, who found it difficult to keep up.

From the moment of starting, the woman kept her own counsel in silence, at times glancing back to satisfy herself of the presence of her companions.

In this order they threaded the mazes of the brooding canon until they reached the stage-road, emerging into a glaring white moonlight. On the margin of the road Clara drew in.

"I am not sure whether they went to the grotto," she said, in a whisper. "They may even now be hidden by the road, watching me. If they are, then my life is over, for I am by this act turning traitor to Spanish Jack."

"Hadn't we better keep 'longside the road in the bushes, then?" suggested Capricorn, who by some occult reason became strongly excited. "It is light as day here in the road."

The woman stretched her arm away down the road. "We follow this road for a mile," she said, "and then we turn up a canon to go to the grotto or cave. During that mile we ride on the brink of a precipice, hugging a steep bank on the other side. The precipice is over a thousand feet high and we can not scale the wall—we must ride in the road for we can't avoid it."

"You speak of a grotto—is that the den?" inquired Winton.

"Yes—a cave in a hillside. But come—we must hasten, for Spanish Jack's right-hand man, Cameron Dacy, a regular fire-eater, is expected from the San Juan mountains early this morning—in fact, before daylight. If he arrives before you get the money, you will stand no chance with three such men."

"Lead on!" said Winton; "I'll follow!"

"'Sdeath, sir I' exclaimed Capricorn. "'I'll follow'! don't you think *I* will, too?—You imply a doubt, sir, in that remark—a doubt of my, yes, *my* courage. Damme, sir, my chief recreation is leading a forlorn hope up to the cannon's very mouth. Yes, sir, it is, sir."

The woman made a sudden gesture and hurriedly pointed behind them. A sound of hoofs rung out behind a bluff close by around which curved the road and closely after two horsemen trotted into view, and drew rein within a few yards of them.

Winton whipped out his revolver, while Clara reined back and the redoubtable captain went headlong into the nearest thicket. Although almost certain the two robbers were before him, the young man resolved to convince himself before shooting.

"Spanish Jack!" he cried. "Move out of your tracks and you are a dead man."

A sudden whispering took place between the two horsemen, but neither stirred. At a second and calmer glance Winton noticed one was tall while the other was short, and though he could not distinguish their features knew they were not the robbers. Nevertheless he would act warily.

"Who are you?" he demanded, sighting along his revolver-barrel.

The whispering increased, and the horsemen were evidently discussing some plan relating to him. Resolving not to be ridden down under their horses' hoofs, he cried, sharply:

"Tell me who you are or I will fire. I am an honest man, and want no trickery, but you've got to speak."

"If you are an honest man," was the cool and clear rejoinder of the tallest of the horsemen, "what do you mea-

by halting two belated travelers with a revolver, at this time of night?—tell me that!"

"Because I am after a robber and don't know who you are."

"We are no robbers."

"I don't know that."

"I assure you we are not. We are two San Francisco merchants."

"What are your names?" demanded the young man, who thought he recognized the voice.

"Samuel Abbott and William Bacon."

"I happen to know those men," said Winton; "so advance and prove it."

"Who are you?" demanded the small man, cautiously.

"Young Winton, chief clerk at Spalding's."

Another series of whisperings ensued, and finally the taller one advanced, but with his hand on his revolver. In a few seconds he was at Winton's elbow, and the moonlight slanting down on his face revealed every feature.

Winton immediately recognized him—he was, as he had asserted, a merchant of San Francisco. He was also known by the mercantile man, who sprung from his horse and shook his hand warmly, calling upon his companion to advance.

Mutual greetings and questions ensued, and great was the amazement and indignation of the two merchants as Winton related the cause and purpose of his nocturnal presence in the Sierra Nevadas. Having been absent in Nevada several weeks they were unacquainted with his employer's rough treatment, and now, having learned of it, they were justly indignant, being warm personal friends of Mr. Spalding.

After a short consultation aside they announced their intention of remaining to assist in the capture of the robber, much to Winton's gratification. They had been in haste—they had been traveling night and day, as they had important business awaiting their presence at the city; but a life was worth more than a few dollars, they said—let the business go.

Winton expressed his fervent thanks, and forthwith introduced them to Clara, performing that ceremony in some

embarrassment on seeing the merchant exchange sly glances of signification.

The tallest and sedatest of the mercantile gentlemen was Mr. Abbott; grave and of rather heavy disposition. The little man, Mr. Bacon, was to his companion as a frisky chipmunk is to an ox; a sprightly, sunny gentleman, somewhat given to practical joking, and a keen lover of a laugh.

Captain Capricorn emerged from the thicket with a rather defiant air, and vaguely muttered something about ambuscades.

"Mr. Abbott," said Winton, "let me introduce a new acquaintance, and a recent victim of Spanish Jack—Captain Capricorn."

"Of the 2d Maine Tigers, sir—company B," added the pompous little captain, advancing to shake hands.

"Hurry!" admonished Clara, who had been viewing the proceedings with much impatience. "Hurry, or you will be too late."

"In a moment," said Winton. "Mr. Bacon, Captain Capricorn."

The merry little gentleman's eyes twinkled at the other's peculiar name.

"Oh! great pleasure—" he murmured. "Captain Capricorn, permit me to ask if you ever suffered with a cancer?"

The captain started back as if stung.

"Again!" he shouted, stamping about in violent rage. "Blast it! zounds! always—can't get rid of it! 'Sdeath! suicide! it'll drive me crazy."

These stentorian outbursts, and the fantastic actions of the captain, were wholly incomprehensible to the merry man, who saw his demi-pun had given offense, though why it should call forth such an ebullition of rage was beyond his power to tell. Winton quietly watched the little warrior as he danced about, enjoying his wrath exceedingly, as he cordially disliked him, and held him in strong contempt.

Again Clara quieted the captain by a little artful flattery, which was the open-sesame to his heart. She so successfully humored him that he even condescended to apologize to the little merchant by the remark that military men were not

remarkable for evenness of temper, choler being an attribute of war.

Complacency once more reigned over the captain; the dismounted horsemen remounted; and, promising that a short time would find them before the robbers' den, Clara led them briskly on.

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## CHAPTER X.

### A DASHING BRIGAND.

IN a quarter of an hour they were before the robbers' cave. This was at the base of a low peak with rocky sides, covered with straggling shrubs and dwarf pines, and overlooked a narrow, "brushy" canon, in the thicket of which the party was lying *perdu*.

The cave, as pointed out by Clara, was some fifty yards above the canon, wholly concealed by a large shrub which grew directly in its entrance. There were many counterparts of the shrub on the mountain-side; insomuch that the moon rising over the crest of the peaks cast long shadows from them, which slanted away down into the canon.

The canon was narrow and shallow, and was entirely filled with dense chaparral-brush, affording excellent shelter to Winton's little force, and the cave was sufficiently near to enable them to make a sudden and perhaps successful charge. From her intimate knowledge of the vicinity, Clara's suggestions and advice would be invaluable; but she had no more than pointed out the cave to Winton, than, wheeling her pony, she vanished in the adjacent chaparral. He waited several minutes for her return, but she did not appear, and he prepared to act without her.

He was nearly certain of three things; first, that the robbers were in the cave; second, that a vindictive accomplice was expected to arrive soon; and thirdly, that he had entered upon a difficult and hazardous task. But, as said before, promptitude of action and rapidity of conception were two

prominent traits in his character; and, in accordance with these, he immediately prepared to storm the cave.

With his usual sententious but perspicuous manner, he impressed his three coadjutors with the importance of acting promptly and courageously, confirming it by pointing out the suspicious and mysterious behavior of the woman, who appeared and vanished like an *ignis fatuus*.

The two merchants, though of peaceful pursuits and unaccustomed to warfare of any kind, were anxious to be led on, stimulated perhaps by the prospect of novelty and excitement, and grasped their weapons with an earnestness that proved theirs was no fictitious eagerness.

The frowning cave on the hillside was as silent as a sepulcher, and Winton suspected that behind its vail of shrubbery keen eyes were on the alert for an attack. He knew not whether their proximity was known to the robbers, but considered it quite likely, and conscious of the value of a knowledge of the battle-ground, proposed in the first place to reconnoiter.

"Captain Capricorn," he whispered, as they stood in the shadow of a towering pine encircled by a dense thicket, "you say your chief recreation is leading a charge. I am not a military man. You are, and of course have made warfare your study. I will reconnoiter, now, then you will lead us to the charge—eh?"

"No, sir, I will not!" emphatically returned the warrior. "A good commander, sir, always places himself where he can overlook the battle and direct his men. As I have been, in virtue of my military position, appointed commander," (no one had hinted such an arrangement), "my post will be up in this pine-tree, where I can oversee and direct my men. I have spoken."

"You can't climb it to save your life," put in the jovial merchant, gleefully. "There ain't a limb for forty feet—besides you are too fat."

"Fat, sir!" thundered the captain, in as portentous basso as he could squeeze out of a squeaking falsetto. "Fat, sir, fat! Damme, retract that vile remark, or I won't stand the consequences. Zounds!"

"Now you've done it," angrily said Winton. "You

shouted loud enough to wake every sleeper within a mile."

And he glanced witheringly at the exasperated captain, and vexed at his rashness, started off to reconnoiter.

As he disappeared, his three companions seated themselves on a fallen tree-trunk beneath the pine, and moodily watched the mountain-side with its alternate patches of light and shade.

From the moment of Winton's departure he was lost to view, but confident of his habitual caution and forethought, the merchants had no fear for his safety. Captain Capricorn still smarted under the rebuff administered to him by Winton, and with natural spite kept up a running fire of malicious remarks, disparaging his courage and cleverness; and, after growling for ten minutes without a word from his companions, concluded, spitefully:

"Damme, sirs," he rasped away with his flinty voice, "he stood by and saw me robbed without lifting a finger in my behalf. 'D'ye call that courage, or even common politeness? Zounds, sirs! catch any of the gallant Second at such scurvy business. 'Sdeath, gentlemen! 'twas only the day I left Portland that several non-commissioned officers of my regiment came to me and said: 'Captain Capricorn, if there ever was a man universally beloved by his men, looked up to in pride by the peaceful citizens, and regarded favorably by the fair sex, it is you, sir; and there ain't a man in the regiment but would cheerfully die in your defense!' Think of that statement, sirs, and then cast your stern and reproachful gaze, upon the stripling that stood with his hands in his pockets and saw me robbed."

"If the humble opinion of an humble individual is worth the breath with which it is uttered," spoke a quiet, nonchalant voice, at his back, "you are the veriest coward and most conceited braggadocio that ever disgraced the army, Captain Capricorn; and would to God you had a cancer as big as your bump of arrogance within a half-inch of your heart."

The voice was not that of any of the three companions, and they looked behind them hurriedly. They were no longer three in number, but five for two men half-concealed in

shadow, were presenting three revolvers at their heads, one man holding two weapons.

"Zounds!" gasped Capricorn, tumbling over and rolling on the ground in sheer fright. "The robbers!"

"Governors," remarked one of the men, emerging from the obscurity of the tree's shadow, "let me introduce the famous gent, Spanish Jack, who wants your lucre."

"Quite correct." And following his predecessor, the young bandit announced stepped forth into the bright moonlight "Friend Fowle speaks correctly, gentlemen—I am Spanish Jack, and want your money."

He clasped a revolver in each hand aimed steadily on the heads of the two merchants, while Fowle amused himself by kicking the cringing Capricorn. The mercantile men, although courageous, felt a thrill of alarm at the presence of the formidable bandit, and glanced up the mountain-side in quest of Winton, who, however, was not visible.

"That is of no use, gentlemen," said the robber, divining their thoughts. "Your friend is too far away to render you assistance. Come—your money!" he added briskly.

They hesitated.

"Your money!" he commanded, with some asperity. "Come—disburse."

They still hesitated, hoping Winton would return. He grew angry for he was apprehensive that the young man might reappear and cause him trouble."

"Now, by the Lord!" he said sharply, as they evinced an inclination to parley. "I hate to shed blood, but, sirs, you must hand out your purses."

With great reluctance they passed their purses to Fowle who stood waiting for them.

"Is that all the money you have with you?" demanded Spanish Jack.

"Every cent, you thief!" angrily replied Mr. Abbott. "And you?" asked the robber, turning to Mr. Bacon.

"The same," was the reply.

"Will you swear to it?"

"Yes."

"Hold up your right hands, then."

They refused to gratify him, and the next moment saw his

eyes flash like a pair of sparks, as he commanded, sternly:

"Hold up your hands and swear you gave me every cent you had."

There was an air of firmness and decision about him which they did not need daylight to see, for it pervaded the very atmosphere. Knowing he would commit some violence if they persisted in refusing, they did as he desired. Instantly the angry gleam faded from his eyes, and his tone lost its sharpness as he said, smilingly:

"I am very much obliged to you, gentlemen, and hope to meet you again. Well, Fowle, we must ramose."

Captain Capricorn lay coiled under the log like a dormouse, trembling with such violence that the dry leaves on which he was curled, actually rattled. With a parting lusty kick Fowle spurned him like a cowering cur, and accompanied by his companion darted into the underbrush with scarcely a rustle; the robbers were gone.

The moment after they had disappeared, the voice of Spanish Jack rung clearly out on the still night air:

"Good-by, Smith—here goes for San Diego—Captain Capricorn, did you ever have a cancer?"

"There goes five hundred dollars!" cried Mr. Abbott in great exasperation."

"Thank Heaven, I only had eighty," fervently added Bacon. "But let's give chase."

"No use," returned the other, gloomily. "We might go within ten feet of 'em and not see 'em, for their chaparral is as dark as Egypt and as thick as Capricorn's skull. Get up, you groveling cross-breed of cowards and conceited empty-headedness!" he commanded the prostrate captain, venting his anger upon that warrior. "Get up and stop cringing like a cur!"

Captain Capricorn cautiously raised his head and peered round, and after satisfying himself of the robbers' evanishment, sprung to his feet, purple with rage.

"Coward—cur—groveling!" he gasped at the merchant. "Damme, sir, consider yourself challenged, sir. Zounds! but I'll have your heart's blood for that insult. 'Sdeath! my sword."

"What does all this noise mean?" demanded Winton, and

denly reappearing and grasping the captain by the collar. "Capricorn, are you mad or only silly?—you make noise enough for a cannonade. What does this mean?" he demanded of the merchants.

"It means we have been robbed by Spanish Jack," replied Abbott, gloomily.

"Do you mean it?"

"It's a fact."

Winton regarded Captain Capricorn with a withering look of anger and contempt.

"We may thank you for this," he said. "You, with your bawling, have let the cat out of the bag. You've lost your money, too, heaven be praised—for if I heard right, Spanish Jack has vanquished for San Diego."

Not exactly—but he was galloping toward the coast at any rate on the high stage-road, at the rate of a mile in two minutes.

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This last robbery was due to the inconsistency, sickleness, and love of a woman; for although Clara was wholly in earnest when she had started with Winton and his comrades, she had soon repented of her dereliction from her lover; and leaving them in the chaparral, had clandestinely entered the cave and informed the bandit of the easy booty close by which only awaited the gathering. For this act of fidelity she was amply rewarded by being reinstated in Spanish Jack's affections; and now rode cozily by his side, as leaving Fowle in the mountains, the robber was flying toward the Sacramento valley.

## CHAPTER XI.

## REVOLVER-PRACTICE.

For nearly two mortal weeks after the robbery of the merchants, Winton wandered up and down mountain, over plain and along river, eagerly questioning every one he met, in hopes of rediscovering Spanish Jack, but in vain. The ubiquitous bandit was up and down the coast during that period, from Monterey, to San Jose, and several times appeared in the foothills of the Sierras. His last daring robbery (by which he had forced a large sum from three armed men) had occurred just east of Sacramento, among the foothills, where we again find the persevering young man on a Sunday noon.

After a week of rough riding and fatigue his three companions had become disheartened, and leaving him to prosecute the search alone, journeyed on to San Francisco. He had but five days now in which to capture the bandit and convey him to the city, and he was downhearted when he reflected that two of these would be consumed in the transit, providing he captured the robber among the foothills. The prospect was disheartening.

Fowle having disappeared with his horse, he had purchased another at a bay-ranch—a sturdy American animal, for which he paid fifty dollars. Astride of the animal, he was now on a freighting road, pushing for the mountain, where he hoped to fall in with the robber, he having been last seen on this very road.

He had begun the ascent of a tedious hill, and was dallying with his cigar, when an object came into view on the summit of the hill, half a mile away. This object was a team of twelve mules drawing two empty wagons, and was coming toward him as fast as the mules could gallop. The driver was, while belaboring the mules, busily engaged in striving to preserve his balance on his high and insecure seat; no easy task, for the road was rough and the wagon

"rickety." Evidently the teamster was in a violent hurry.

Crack! a pistol-shot rung out on the still air over the hill, and Winton saw dust fly from the driver's hat where a bullet evidently struck. The trail-wagon becoming unfastened from its mate now fell behind, and running out of the road turned over; but beyond jerking his head as the bullet passed through his hat, and glancing sharply round at his overturned wagon, he still kept his seat, and lashing the mules, came thundering down the hill.

In a few moments he was close upon Winton, but showed no signs of slackening his break-neck speed. On the contrary, he slipped under his seat, and reappeared with a revolver which he took from his water-bucket, and brandishing it above his head, plied the whip yet more rapidly.

He evinced an inclination to fire at Winton as he thundered toward him, but was prevented by his forward wheel striking a stump in the road with such violence that he was pitched from his seat, and went sprawling into the bushes, while the flying mules accelerated their speed. His revolver was thrown from his hand by the shock, into the bushes close by; and as soon as he touched *terra firma* he bounded to his feet with the elasticity of an India-rubber ball, and greatly excited, commenced burrowing for it.

"Hold on!" shouted Winton, thinking he might mean mischief; "I am a friend."

"Eh?" ejaculated the man, at once discontinuing his search, a friend?"

"Yes. What is the matter with you?"

The man pointed over the hill in a high state of nervousness, and cried, in a shrill falsetto voice:

"That's a robber over yonder—a roadman—just over the hill."

"Is that so?" demanded Winton, eagerly.

"You bet! oh, durn it, didn't I fly? Shot at me—yes, by thunder!" he cried, in a still shriller voice, snatching off his hat. "See that hole?"

There was a pair of holes in the extreme crown of his hat.

"What sort of looking fellow was he?" asked Winton.

"Fat—no, lean—oh my God I didn't stop to see."

He was a tall, lank, watery-eyed fellow, and one of a nervous, excitable disposition. Although he was wild with excitement, by dint of close questioning, Winton elicited the following story.

His name was Tarbox, and he was an independent freighter between the mines and Sacramento. He had just come from the mines, and had present and back charges with him to the amount of nine hundred dollars, coin. Coming up the other side of the hill he had stopped to rest on his block, at the verge of a shallow bushy ravine. While breathing his mules and smoking his pipe a sharp voice rung out from the ravine below: "Don't stir for your life—your money!" and turning his head saw a man below him trying to climb over a huge log and keep a carbine aimed steadily upon him at the same time.

He knew at once the man was a robber; and also saw that he could not climb over the log and keep the carbine steadily aimed as he did so; and taking advantage of the temporary predicament in which the robber was placed, dropped from his seat at the imminent risk of being shot, and took shelter behind his mules.

Losing no time he hastened, as he said, "to hustle out'r that;" and whipping up his mules, still keeping them between him and the bandit, started them into a gallop and fled.

The robber repeatedly ordered him to halt, and sent a threatening bullet at his mules, which however did not take effect. This increased his speed, and as soon as he had gone a few rods he dexterously mounted his wagon while in full motion, and went over the hill like the wind.

He was in a frenzy of nervousness though without actual fear, and though he spoke very rapidly, he stammered to such a violent degree, he was several minutes in narrating the incident. He was impeded, too, in his hurry-skurry search for his revolver; but after having found it he sprung into the road and cried in his shrill voice:

"The money is back in the tipped-over wagon, yonder, pard—come help me get it before the robber does."

He was already taking tremendous leaps up the hill toward the overturned wagon, and Winton galloped after.

Suddenly a horseman came into view galloping over the crest of the hill, carrying a carbine.

Seeing him, Tarbox burst into a loud wail.

"Oh, he'll get my coin, and then I'll be ruined!" he cried. "Stranger, for God's sake ride ahead and stop him."

He did not have occasion to make a second entreaty, as the young man was ascending the hill as fast as his American steed could gallop; for in the carabineer on the hill he recognized Spanish Jack.

The two horsemen were equi-distant from the wagon. Evidently Spanish Jack was aware of the treasure in the wagon, for seeing Winton riding to intercept him he spurred still harder toward it. He had the fall of the hill in his favor; and as the descent was abrupt, his rate of progression was much greater than Winton's.

The latter perceived this, and seeing the robber would certainly reach the wagon before him, now started to get within close pistol range, determining to wound the robber severely if possible.

The bandit reined in beside the overturned wagon, and leaping from the wagon sprung over the wheels, and seized a small bag from the ground just as Winton rode within short pistol range. He had the treasure, and now must escape with it.

He sprung at his saddle but was impeded by the wheels, between which the horse stood. He was several seconds in getting his foot into the stirrups and his hands on the saddle-horn; and just as he sprung into his seat Winton discharged his revolver at his head.

He was not proficient in the use of the revolver, and aimed inaccurately, and the ball which was designed for the head of the bandit lodged in that of his horse. Down went the animal, floundering violently, carrying Spanish Jack beneath him. But the latter was agile, and with a quick, short leap sprung from under the horse and leveled his carbine at Winton, as the latter drew trigger the second time.

Again a bullet sped toward the bandit, and Winton's unpracticed eye again aimed incorrectly, but still closely; for the ball whistled so uncomfortably close to the robber's head that it disturbed his aim. Seeing that Tarbox had drawn

close, and was in the act of firing he abandoned his dying horse, and with nine hundred dollars in gold and gold-bearing notes in his hand, leaped into the chaparral with which the road was bordered.

"Follow him!" yelled the teamster, bounding toward the spot in wild excitement. "Follow and we'll cage him in the prettiest trap. Leave your horse."

The young man galloped to the overturned wagon, and fastening his horse to a wheel, close beside the prostrate lifeless steed of the robber, plunged into the chaparral, revolver in hand.

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## CHAPTER XII.

### SHARP-SHOOTING.

"He's caged!" shouted the driver, bursting through the dense bushes. "I know this place—we've got him. Come on, pard."

The robber had darted into the chaparral at a point where the hill made a sudden "sink" like a crater; a basin, scantily clothed with vegetation, inclosing about two acres in area. This basin was very much like a rat-trap; there was only one way of ingress. The sides of this miniature crater were so steep and crumbling that once in, the occupant had but one way to get out; and this was the canon by which it was entered.

The basin and the canon formed a sort of dipper; the "sink" being the bowl, and the canon the handle.

The canon was very narrow and shallow, but was covered with dense chaparral. The robber, following this canon, on seeing the basin before him at once darted for it, not dreaming he was running into a man-trap.

He soon discovered it, however, but after it was too late. He made the entire circuit of the basin seeking an avenue of escape, and keeping under cover as well as he could; but none did he see until he returned to the canon, in the entrance to which stood his two pursuers.

The basin was dotted with isolated clumps of dense, lofty bushes, the "islands" being about equidistant-- a hundred yards apart. Finding his escape cut off and that he was caged, he quickly availed himself of one of these thickets and darted into its shelter ; he was entrapped.

"We've got him, pard!" shouted Tarbox in delight. "Cracky! how slick 'twas done!"

A bullet from the robber's carbine was his only rejoinder, and it whistled within half an inch of his head. Tarbox instantly sprung behind a live-oak, which act of self-preservation was quickly imitated by Winton.

Now, the robber ensconced in his thicket, was keeper as well as prisoner, and a vigilant one he would prove ; for if either of his pursuers disclosed the slightest portion of his body, a carbine-bullet would be the result.

For several minutes both parties remained quiet, reflecting on the situation. The robber durst not stir from his concealment, and the young men did not dare to abandon the canon and thus give him an opportunity in which to escape ; both were prisoners, and both were jailers. The robber cast keen, wistful glances about him in quest of a chance of escape ; while Winton and Tarbox were equally solicitous in regard to a speedy capture without much risk of their lives.

Partly for practice, and partly in endeavor to force Spanish Jack from his concealment, Winton emptied several chambers of his revolver into the thicket wherein the robber was hidden ; but the wary bandit, although not relishing the extreme propinquity of some of the balls, only lay the closer, watching for a chance to rid himself of one or both of his enemies.

The opportunity was near at hand. Tarbox, by nature excitable and restless, could not put up with inaction, he abhorred it. His element was activity and excitement ; and becoming fidgety and nervous, and fearing that the robber might conceal his money while in a state of siege, resolved to enter the basin and beard the robber in his very lair.

Winton remonstrated with him, pointing out the folly and recklessness of the procedure. The nearest clump of sheltering bushes in the basin was a hundred yards distant from the canon. In order to reach this shelter he was forced to traverse a level, miniature champaign of three hundred feet ; and

going obliquely toward the robber would thereby expose himself to the imminent risk of being shot. Notwithstanding these points were only too salient, the rash driver was not to be deterred from the attempt, and evinced a little hostility at being remonstrated with. He was no coward, he said ; he never yet knuckled down to any man and wouldn't do it now, even if he was bucking ag'in' Spanish Jack. Besides there was a reward of five thousand dollars for the robber's capture, and he was a-going to go for it, he was. " You bet."

" Go ahead, then," said Winton, rather nettled at the other's obstinacy ; " but if you are shot, recollect you had warning."

" If I am shot," quietly said Tarbox, coolly inspecting his revolver and recapping the tubes— " if I am shot, that nine hundred goes to you, for I hain't got no one to will it to. Then there's my mules and wagons. The mules will stop at Horse-shoe ranch about two miles from hyar—they're bound to do it cause they've stopped there for the last two years. The hull outfit (wagons and mules) is worth two thousand—coin and all, three thousand. If I am shot, pard, it's all yours ; so here goes fer Mr. Spanish Jack."

Although admiring the nonchalance with which he regarded danger and death, Winton exerted all his powers of entreaty and persuasion to induce him to abandon his reckless and vain-glorious attempt ; but Tarbox was determined, and the more he argued and expostulated, the more stubborn he became. Finally, seeing he would go, Winton, whose chivalric spirit forbade his remaining inactive while his comrade made himself a bullet-target, proposed to accompany him ; but to this proposition, the driver strongly objected.

" I don't want you to go—I want you to stay here," he said ; " so if Spanish Jack shows himself, you can have a good chance to blaze away at him. You savvy ?"

" You are determined to go, then ?" asked Winton, who could not repress a feeling of admiration for his bravery, notwithstanding he was provoked at its accompaniment of obstinacy.

" Oh, of course," was the nonchalant reply. " Here goes —watch out, now, pard."

The next moment, with revolver in hand, he was leaping

across the diminutive plain toward the nearest thicket. Slender and supple, he naturally was a fleet runner, and a hundred yards is not a long distance; but before he had traversed half the distance a sharp report rung out from the thicket in which the robber was ensconced; and struck by a carbine bullet, Tarbox suddenly faltered.

He rallied quickly, however, and for a few yards ran rapidly, with his former speed; but he again slackened his pace, his head drooped sleepily, and he pressed his left hand convulsively upon his breast; evidently he was severely wounded.

A light, evanescent smoke hovered under the bandit's thicket, marking the spot whence the bullet proceeded. As Tarbox, reeling like a drunken man, blundered heavily into the chaparral safe from further bullets, Winton, highly exasperated, aimed his revolver at the filmy smoke, and fired with as steady and correct aim as his unpracticed hand would allow.

By a lucky accident, the aim proved true, for a sharp cry, in the robber's voice, rung out over the basin, and directly the bushes about him were spasmodically agitated, as if by a floundering person. Undoubtedly the robber was struck, perhaps fatally.

Elated by the apparent precision of his aim and its effects, Winton uttered a short cheer, and again fired into the thicket. But excited by the thought that the conclusion of his task was near at hand, he did not pause to collect his nerves for a true aim; and consequently the bullet nipped the top of the bushes, several feet wide of its mark.

He did not stay to ascertain the further effect of his shot, but at once hastened to succor his comrade who lay gasping on the margin of the thicket. As he ran across the flat toward him, the robber suddenly emerged from his shelter. He was now reeling to and fro, and seemed scarcely able to sustain his balance. Winton saw him, but thinking he was staggering about in agony, and unable to do him harm, continued toward Tarbox.

He was half-way to his destination, when the robber suddenly drew a revolver, and once more stood firmly erect.

"Smith, you rascal, I've got the drop on you."

Winton heard the voice, and was aware by the technical

phrase that the robber was about to shoot. Turning quickly, he saw Spanish Jack in the act of discharging a revolver, which was bearing directly upon him, and with a sudden instinct, dropped flat on his face.

The act was performed as the robber's finger was pressing hard on the trigger. The latter could not control his finger, else he would have saved the shot: but that member's momentum could not be checked, and the bullet sped harmlessly through space, where the young man's head had been.

The bandit drew at the hammer for another shot, but it refused to act, a small piece of a cap having been forced down into the spring of the hammer.

With a curse he cast away the weapon and commenced to draw his other revolver—*commenced*, for it was an operation requiring thirty seconds or more in its execution: for the scabbard was quite new, and the button-hole of the flap was not yet worn so as to work easily, and he was forced to tear roughly at it before he could open the case.

When he had done so and was ready to fire again, Winton had plunged into the thicket and was now out of sight. This necessitated his seeking shelter; and swearing in exasperation, he scuttled back into his bushes with the alacrity of a squirrel, for his feeling and distress had been assumed as decoys—he was unharmed.

By leaving the canon, Winton had left the way clear for the robber's escape, if the latter chose to run the risk of being shot in the attempt. This he did not relish, and now lay in his thicket, as close prisoner as ever.

Winton's first act when he gained his ally was to draw him into the copse beyond the reach of the robber's bullets, for he was so severely wounded that he could not stir. His face was pale, his eyes were glassy, and upon his forehead great beads of perspiration stood boldly out—a bad sign.

He had torn aside his waistcoat and heavy woolen shirt, thereby exposing the left breast. Just above the nipple a small spot was visible—red in the center and purple on the borders—a bullet-hole. The almost entire absence of blood about the wound caused Winton to look grave, for he knew the driver was bleeding internally.

"How do you feel, partner?" asked Winton, softly, kneck-

ing by his side, and placing his hand upon the damp, cold brow. "Not badly, I hope."

"No, pard, I don't feel bad," was the low, hollow reply, and a quiet, wistful look steamed out from the light-blue eyes.

"I'm glad of that," returned Winton, cheerfully. "See, the wound does not bleed much, and it is quite a distance above the heart, too. You'll soon feel quite chipper, partner."

"It's above the heart, but in the lung," whispered the driver, who was fast growing weaker. "Pard, I feel queer inside--sorter creeping-like. D'ye know what that is?"

"Nervousness," replied Winton, with a pious falsehood—"nervousness."

"No, pard, it ain't that--it's something worse. I'm bleeding to death, inside."

Winton shook his head incredulously, and tried to speak cheerfully.

"You feel weak, my friend," he said, softly smoothing the dying man's brow. "It is natural you should, for a while; but you'll soon feel brighter, so don't fret."

The other lay on his back, quietly gazing up at him--calmly, and with no appearance of fear; but it was the calmness of an easy conscience. Winton saw he was fast dying.

"Can I do any thing for you, friend?" he inquired. "Is there any message you would like to send to any one?"

"No, pard, I bain't got no friends alive. You're a good fellow, stranger, and all I've got is your'n--all I've got is your'n."

A film crept over his eyes and he moved uneasily, then rolling over on his side, he gulped up a mouthful of blood. Winton supported his head as he vomited blood until the ground beneath his head was a sickening pool.

Then he revived somewhat, and desired to be replaced on his back.

Winton did as he requested, and with his handkerchief soaked the blood from his lips and cheek.

"Pard," whispered the dying man, "I'm going down a steep grade--a mighty steep grade. But I've got a good brake and steady wheelers, pard--steady wheelers. The brake is set--tight--I've got no load to carry, and so I ain't afraid."

With a woman's tenderness, Winton wiped the sweat from his brow. He continued, growing weaker and weaker:

"I was born in old Vermont State, pard, but there's no one there to miss me now. Father, mother, sister—they're all gone before—I've got no one to mourn for me."

Again he turned on his side, and mouthful after mouthful of life-blood welled up. A spasm crossed his face, and the wound in his breast began to bleed externally; he had little time left on earth.

"Pard," he whispered, "give me your hand to hold, for you're a good fellow—a good fellow. Where is it?—it is so dark I can't see."

Winton grasped the hand aimlessly groping for him, and tenderly raising the head, rested it on his arm.

A grayish tinge crept over the face now, and the eyes closed.

"There's another," he whispered—"Nellie. She's gone, too, but we will soon meet—soon meet. Hold my hand tight, pard, for one likes a hand when he's going down-hill. I'm going to leave, now—good-by, pard—steady, boys—steady—steady—it's a steep grade, but I hain't got no load, and the brake—steady, boys, steady—pard—"

"What, my friend?" whispered Winton, bending over him, to catch his last words.

"Oh, I see 'em all!" he cried, rising half-erect, with outstretched arms, and face transfigured with intense joy. "I see 'em all! There they are—father—mother—all a-shining. The hill is passed, pard—the brake is off. I see her—Nellie—love—Nellie!"

He sunk heavily back in Winton's arms—he was dead.

## CHAPTER XIII.

## VIGILANTES.

FOR some time Winton sat by the dead man, gloomily watching the marble fixedness of every lineament and muscle in the dead face.

The expression of pain had vanished, and in the perpetuation of the happy transition, the face would wear, until it was a face no longer, the impress of the seal of love.

Sterner emotions crowded by swift degrees his tender thoughts from their unaccustomed place, and adjusting the body in a calm and easy attitude, he returned to his task. For he thought of the consequences should he fail; that instead of a peaceful death, he would witness a terrible one—a death by hanging or an unseen bullet.

All his affections were centered in the mercantant's family, and the death of the father would not impossib'y occasion that of the girl he idolized; and with these two gaturnine pictures before him, he cast aside all thoughts of tenderness for those of war and bloodshed, and grasping again his revolver, peered out of his ambush.

He was astonished at seeing the mouth of the canon occupied by a dozen or more fierce-looking, bewhiskered men, heavily armed.

He drew further yet into the sheltering bushes, fearful lest they should be accomplices of the robber, and to be discovered by whom was almost certain death.

Now he felt alarmed, true physical fear; not for his own safety but for that of Mr. Spalding and Edith; for were these men accomplices of the robber, then indeed his task was ended, and the life of his employer also.

He watched them narrowly, knowing if the bandit was connected with them he would speedily join them; otherwise he would keep as quiet as possible, for who is not with a bandit is against him.

The men, by their appearance, did not evince any system of organization, however, for they were variously clad and armed, the prevailing weapon being the customary brace of Colt's six-shooters, a knife and a rifle, while not a few had fowling-pieces, and one bore a huge bludgeon.

They were halted on the edge of the basin, resting on their guns, while one, a muscular man in a flaming red shirt, with a belt full of deadly weapons, stepped aside, and, turning round several times to scan the surroundings, said:

"Gents, it's my idee we'll find him hyar."

Winton pricked up his ears. Could it be possible they were an irregular squad of regulators in search of Spanish Jack? There were several miners among them, he could see, and a number of teamsters, the entire band numbering fourteen.

"Yes, gents," repeated the man in the red shirt, "if you take my advice and skirmish round this holler you'll find Mr. Robber. For why? ain't his horse lying dead out yonder in the road—ain't we heerd pistol-shots hyar—ain't he been a-robbing somebody and tipping his wagon over—ain't he?"

A grunt of assent went around the knot of whiskered men, and the red-shirted man resumed:

"It stands to reason he's hyar; and if he's caught had we better string him up or shoot him?"

"String him up!" was the unanimous cry, as the men glared fiercely around.

"Give your orders, Blunt," shouted one. "You are leader—sing out."

The red-shirted man, Blunt, thus requested, waved his gun over the basin.

"Gents, we'll burrow round hyar for a while, and it's my opinion we'll find him."

With this remark he started in his search, followed by the band, which began to scatter in all directions. Satisfied these men were vigilantes in search of Spanish Jack, Winton called out:

"Mr. Blunt!"

"Hello!" cried that worthy, cocking his gun, and staring at the thicket, "who's that?"

"A friend," replied Winton, not daring to expose himself to Spanish Jack's bullet.

"Hang me if I don't believe it's Spanish Jack!" muttered the chief vigilante. "Git all ready for a rush, men."

"Hold!" shouted Winton. "Don't shoot—I am a friend."

"Show yourself, then, and quit skulkin'," cried several men.

"If I do I am a dead man, for Spanish Jack will try his carbine on me," answered Winton.

At the name of the bandit there was a sudden stir among the men.

"Where is Spanish Jack?" demanded Blunt.

"In that clump of chaparral-brush, yonder in front of you."

"The devil, you say?"

Turning, the leader whispered an order to his followers, who, bringing their guns to their shoulders, steadily aimed at the thicket wherein the robber was concealed.

"Aim low, men."

The words were scarcely uttered when a sharp report rung out from the robber's thicket, and Blunt fell heavily forward on his face, with the blood spouting from his mouth—dead; shot by the deadly carbine of Spanish Jack.

This shot, entirely unexpected, caused temporary confusion in the band of vigilantes, who scuttled back into the canon with considerable haste.

Posting themselves behind trees, they commenced a scattering fire on the thicket with their revolvers, firing with great nicety; for in a few minutes, in consequence of each man's aiming at the smoke which hung under the thicket, a small breach was made of not more than a foot in diameter. But still the robber was unharmed, or if he was hurt he gave no sign.

From his covert, Winton noted the proficiency with which they handled their revolvers, and not desiring by any strange behavior to attract their precise volley on himself, decided to reveal himself and join the vigilantes if he could do so with any degree of safety.

By the vigilantes retreat to the canon, he could now

reveal himself without being exposed to the robber's deadly aim.

Stepping from the thicket at a side which would disclose himself to the band without the robber's knowledge, he dropped his revolver, and holding up both hands, said :

"Now you see me, don't you?"

"His question drew every eye upon him in a twinkling.

"Who are you?" demanded a short, contumacious man, holding his gun in readiness to fire, should Winton attempt any covert act of treachery.

"I am a San Francisco man," replied Winton, "and I am in search of Spanish Jack."

"All right, my hearty!" sung a little red-faced fellow in a blue shirt, "so are we—the more the merrier—come on, my turtle-dove."

Thus invited, and perceiving that the attention of the band was again turned toward the robber, disregarding him, he picked up his revolver, and started at his highest rate of speed toward the canon, darting from side to side to avoid the robber's bullet, which he knew would speed after him.

It was well he did so, for since his revelation of the bandit's position (which the robber had distinctly overheard) Spanish Jack glowed for revenge.

He was in a dangerous situation and saw no means of extricating himself; and knowing Winton would join the vigilantes, had withheld his fire until he did so. As Winton bounded erratically across the flat, the robber took as steady aim as Winton's darts and dodges would permit, and fired. But, to his anger and disappointment, the bullet missed, and in a few moments more Winton was safe in the canon.

He glared vindictively at the spot where the young man had vanished, then went to work deliberately to reload the carbine.

This done, and knowing no chance for escape, he sat like a hunted tiger, glaring out of his thicket with every sense on the alert.

His nine hundred dollars lay in its bag beneath his bended knees. Its possession had cost him a life and he inwardly

Determined that, before it should be retaken, more than one of his enemies should bite the dust.

He well knew what his fate would be if he was captured, and he saw nothing to prevent it. His enemies were expert in the use of fire-arms, but he was equally so ; and he prayed that, before he should be captured or killed, his life should be dearly purchased.

Glancing about him, he saw in the southern wall of the basin a dark spot—a cave. Could he gain that, and should it prove sufficiently capacious to shelter him, he would not be endangered by a surround, as he was in the chaparral.

With him, to see was to conceive ; to conceive, to execute ; and without further supposition or calculation, he eased his revolvers, slung his bag of gold over his shoulder, and carrying his deadly carbine at a trail, stole out of the chaparral into the plain, with the rapid, stealthy tread of a hunted fox.

## CHAPTER XIV.

## WRESTLING VERSUS PUGILISM.

As he left the thicket, he performed one pious act—he blessed the hand that checkered the basin with clumps of chaparral.

For the canon was on the north side of the basin, the cave on the south ; and stealing out on the south side of the thicket, he was enabled to keep it between him and his enemies until he could reach another thicket.

As he slunk into another chaparral and out of it again, on his stealthy way to the cave, his safety became greater and his spirits rose, for the sun was on its downward course, and in three hours would set ; and then in the darkness he surely must be a bungler if he could not escape.

If he could elude his enemies until nightfall, his escape was insured.

“ I will smoke a cigar when I get into that hole,” he said, complacently ; “ and then I’ll count my money and see whether I’ve got a hundred or a thousand dollars. You are heavy, old boy,” he chuckled, rattling the bag.

He abandoned his extreme caution now, and ran rapidly toward the cave, for he was wholly concealed by several thickets which intervened between him and his enemies. He could hear a desultory fire still carried on by the vigilantes, and it showed him his absence was not yet discovered.

Thus reassured, he hummed a tune as he bounded along like a spring buck on a breezy morning, scanning the cave in the wall, framing some plan for entering it without being discovered by the vigilantes.

The cave was seven feet above the basin, in a bank which was nearly perpendicular, and by its height was unfortunately in full view of the vigilantes.

Spanish Jack saw this, and without dallying, went to work to make as hasty an entrance as he could.

The soil of the bank was ferruginous and crumbling, and strewn along the base of the wall were vast numbers of spheri-

cal and rectangular fragments, which had been detached from the wall, and which were a species of conglomerate rock.

He ran swiftly about among these, tossing the largest and most solid into a heap under the cave, until a pile four feet high had been deposited there.

At this stage of his proceedings, he coolly lit a cigar, and then went briskly to work, glancing about him from time to time to guard against surprise.

With a swiftness and dexterity which would have elicited admiration from a skilled stone-mason, he deftly formed this heap of unwieldy and ill-matched lumps into three firm steps, three feet in height, extending nearly half-way to the cave.

Now he could enter in a second, whereas before he made his stairs, he would be boldly outlined against the wall for several minutes, and undoubtedly be discovered by the vigilantes.

He drew back, and calmly puffing his cigar, with his arms akimbo, admired his work for a few moments.

Now his physical work was done, there remained but another, a slight, but highly necessary task—that of looking before leaping.

As yet he was in the dark as to the cave's dimensions; it might be capacious, and it might be too small to admit his body from view. Standing on the steps, he peered in.

All was dark, showing that the cavity was a large one. He looked back across the basin.

From his slightly elevated position he saw several scarlet objects in the canon, contrasting strongly with the vivid green foliage; they were red shirts—his enemies were still in the canon.

The firing had ceased, and he conceived the vigilantes were discussing some plan for his speedy capture; and knowing his discovery was certain should an eye be cast in his direction, hastened to enter the cavity.

His neck was at a level with the bottom of the cave. Resting his hands on the verge, he made a light spring, bounded into the cave, and scrambled forward into the darkness. He heard a gliding sound beneath his feet and all around him, and saw numberless diminutive sparkles in every direction; then a sound occurred like the brisk rustling of dry leaves.

He recognized the sounds and the sparkling objects. The latter were blazing eyes ; the latter, the alarm of the rattlesnake ; he was in a nest of those terrible creatures.

With a cry of horror he could not suppress, he bounded out of the cave, while his cry echoed over the entire basin.

His shout was answered in the canon ; he had been both seen and heard ; and, with an oath of rage, he dashed into the nearest chaparral, as the men in the canon, with one accord, ran toward him. He now must battle desperately for his life.

He had dropped his carbine in the cave in his sudden horror, and now was forced to rely wholly on his revolvers. The chaparral in which he had taken refuge encircled a large live-oak tree with low, spreading branches. Shielding himself behind the broad trunk, he drew his knife and commenced to extract the cap from the base of the hammer, and which, as before stated, saved Winton's life, by obstructing the working of the cylinder.

With the sharp point of his knife, he soon extracted the piece of metal. Reloading the empty chambers, he placed his bag of gold between his knees, and sat awaiting the attack.

He did not for a moment entertain the thought that his enemies would make a simultaneous charge upon him. They would endeavor to vanquish him by other means, which, though slower, would be attended with less loss of life. This could be done, easily, perhaps, for in this portion of the basin the chaparral was dense, and quite formed a line of natural circumvallation around him.

He put himself on the alert as rustling in the adjacent thickets warned him of the approach of his enemies. These were men accoustomed to bush-fighting in all its phases ; men of quick perceptions and keen eyes, and experts with firearms. Some were, in addition to the stimulus of excitement and Government reward, working to avenge the death of some old comrade ; and even now, as he listened, he heard the voice of a man whom he well knew, ring out from an adjacent thicket.

"Talbox is lying dead back in the chaparral, pardners,"

This unseen agitator shouted; "do your level best to catch Jack alive, and we'll string him up to a tree beside Tarbox."

The voice was well-defined from the thicket in which it was uttered. The robber raised his revolver, and taking a quick, steady aim at the place, fired.

"My God, I'm shot!" cried the voice, with a piercing intonation. "Spanish Jack's shot me—I'm a dead—"

A heavy fall and agitation of the bushes in the direction of the voice, succeeded by a gurgling groan, made every invisible combatant aware that a man had fallen by the robber's bullet. Wild shouts scattered up from various directions, showing the robber he was surrounded by men who were determined to have his life.

"Bill Perkins is killed!" cried several voices in different localities. "Kill the cursed assassin!"

The cry was taken up in all quarters, and the mutterings in different thickets became a continuous crashing of shrubbery. The robber's face settled into stern determination, and his roving eye flashed defiance.

Another voice rang out near at hand—a voice he well knew; it was Winton's heavy basso.

"Five hundred dollars to the man that takes him *alive*!"

For a few moments nothing was heard but the crashing of branches as man after man contracted the circle closing about him—the circle of death. One particular movement attracted his notice—it was close by.

Whether from recklessness or eagerness to gain the double reward, some man was pushing rapidly toward him, close at hand. Perhaps he was unaware of his perilous proximity to the robber; if he was, he was soon informed of it; for the bandit again elevated his revolver with that quick, steady aim, and fired toward the place where he supposed the man to be.

Another death-cry sounded, and a man was floundering in the bushes in his death-throes.

"Who's shot?" inquired several invisible persons; then came the angry answer:

"Chester; Chester! Bob Chester's shot and killed."

The gleam of triumph that swept over the robber's face was cut short by a stir in the bushes behind him. He turned

quickly and saw Winton standing over him with a revolver at his head.

"Surrender!" cried Winton, whose object was to capture him alive. "Surrender, Spanish Jack!"

"Not to a San Francisco clerk!" replied the robber; and swinging his arm violently around, he caught Winton by the legs, and with a powerful effort overturned him on his back.

Drawing his knife, he sprung upon the young man with the intention of stabbing him to the heart, but he was met half-way. Winton, conscious of dealing with an expert fighter, no sooner struck the ground than he sprung up again with the elasticity of a steel spring; and striking out from the shoulder, hit the robber squarely between the eyes, knocking him back on his bended knees. Before Spanish Jack could recover his equilibrium, Winton again gave him the benefit of a well-directed blow. The bandit endeavored to parry it with his knife-arm; but not being skilled in pugilism, blundered, and the consequence was, that his knife was hurled from his hand into the bushes, and the blow fell directly upon his mouth, forcing several teeth down his throat.

Winton was a beautiful boxer; quick as a cat, and of great strength, he was formidable as a pugilist; and pursuing his advantage he was throwing himself on the robber when his feet became entangled in a creeping vine, and down he fell, close beside the prostrate bandit.

Both sprung to their feet at the same instant and stood regarding each other with fury. Blood was streaming from the robber's nose and mouth; and he spat out a mouthful of blood and teeth as he prepared to renew the combat.

Neither had knives--the robber's was lost in the bushes. Both had revolvers but were afraid to unguard themselves in drawing them; and standing like a lion and tiger preparing for deadly combat they watched each other with the furious eagerness of their respective brute prototype.

Spanish Jack was as splendid a wrestler as Winton was a boxer, and now came a rare sight; first-rate wrestling versus ditto pugilism. Neither of the combatants uttered a word. Winton stood easily and without stiffness, yet like a rock, with his left fist before his chin and his right de-

scribing almost imperceptible circles, with his arm half-extended.

Spanish Jack stood the reverse of stiffness with his body slightly bent and his arms half-extended. He was revolving in his mind the best out of many excellent ways to close with his antagonist; for he knew he must act with remarkable agility to grapple his adversary, without being stunned by that terrible fist which with its hard knuckles was ready to fly with tremendous force at the slightest warning.

Winton's care was to keep his adversary at a distance, for genius in one direction always recognizes its cousin in another, and knowing by his position that Spanish Jack was a practiced wrestler, watched his eye with the circumspection of a prize-fighter.

Increasing rustlings in adjacent thickets indicated the gradual closing in of the circle of death, but neither noticed them. Winton stood quietly, so did the robber; the one anxious to grapple, the other determined to prevent him.

Spanish Jack made several feints to test his opponent's coolness and skill; but the revolving fist still described its inch orbit and the dark eyes were as steady as ever. Winton in his turn made a few feints, and here the bandit's skill manifested itself; for at the quick yet false motion of the ponderous arm, he sunk like lead and magically rose again, as he supposed, directly under his adversary, only to find himself as far distant as ever.

Spanish Jack now heard the loud crashings on all sides, and determined to bring the combat to a close one way or another; and collecting his energies, prepared to enter into the execution of that delicate procedure technically known as the "under knee-lock."

To attempt a description of it would be sheer stupidity as a small volume could be written upon it; let the sequel suffice. If he succeeded, Winton's leg was broken in three places; if he failed, the game was lost.

Starting back a few paces he suddenly opened his chest, and lightly bounding, sprung directly toward Winton. The latter, unacquainted with wrestling tactics, put himself on the alert and made a feint with his right arm, which Spanish

Jack misconstrued into a blow ; and suddenly dropping, rose up between the legs of his adversary. But the feint which Winton had made use of was now converted into a blow ; and as the robber was entwining his right leg between Winton's, he received a blow upon his head, which, had he been further away would have felled him senseless. But his closeness was decidedly in his favor, for it only bewildered him slightly ; and exerting all his force he prepared to execute his "lock," and break Winton's leg.

But for all his cleverness, he had not taken into consideration that by closing with Winton he would invite, nay, court instant annihilation ; and now, bewildered by the magical suddenness of the movement, found his head snugly tucked under Winton's left arm, with the terrible fist brandished over his face.

The blow descended full upon his face, almost driving him senseless ; and scared at his dangerous position, and unable to extricate himself, proceeded desperately to break Winton's leg with his "lock."

But he was too late. Although suffering severely with the intense pain which the cruel lock caused in his legs, Winton pinched the head closer under his arm, and rained a shower of his most scientific blows upon the upturned face.

At the second terrible blow, the bandit's "lock" loosened ; at the third, it relaxed entirely ; and at the fifth, Winton held a limp, bloody form in his arms--the bandit was beaten senseless.

## CHAPTER XV.

## A QUARREL.

WINTON exulted for a moment over his triumph, then called the vigilantes to the spot, but not before seizing the bag of gold which lay near the robber. This was his own, as were also the mules and wagons, lately owned by Tarbox; but anticipating difficulty in securing these latter he resolved to cling to the coin.

The men burst into the thicket from all sides, and soon the entire band was assembled, looking down upon the robber. Winton stood astride of his senseless captive, partly with a view of protecting him from the rage of the vigilantes.

It was a wise precaution, for several, in their anger, would have sheathed their knives in the robber's heart. The two men killed in the affray were favorites of the band, and now at the robber's capture, the majority were quite willing to avenge their death upon the spot.

But the revival of the robber, together with Winton's expostulations, supported by his muscular frame, allayed their anger, and all pressed round to catch a close view of the man who for several months had been the terror of the Pacific coast. The robber stirred slightly, then opening his eyes looked up, bewildered at the angry, rough faces he beheld lowering down upon him. He made a motion as if to arise, but he was pushed back into his recumbent position, and on a man's producing a ball of heavy cord, was securely bound, hand and foot.

His face had entirely lost its symmetry and manly beauty—they had departed forever; for Winton's heavy fist had broken his nose, badly damaged his teeth, and had pounded his face to a mass of bruised and livid flesh. His eyes were purple and swollen; but from behind their artificial saturnine lids they glowed as defiantly as ever as he said, angrily:

"Smith, you handle your fists like a prize-fighter; but some day you'll find how I can shoot."

"I don't think you will have a chance," replied Winton, quietly. The robber narrowly watched his face for a moment, then said, bitterly :

"So you are a blood-ucker as well as prize-fighter, then. But let me tell you, Smith, the rope is not spun that will hang me."

"We'll see about that!" retorted one of the vigilantes. "You'll be a dead man in about fifteen minutes, Mr. Spanish Jack."

"No he will not!" said Winton.

"Why not?" asked the whole band, gazing at him in surprise.

"Because I am going to take him to San Francisco to-morrow morning."

"What for?" demanded several.

"In order to deliver him to justice."

"But we can hang him here better than we can in Fr'isco; besides he might get away on the journey," objected a small man of decidedly practical appearance.

"If the stranger thinks we are going two hundred miles to Fr'isco to hang a man, when it can be done under a tree right here in fifteen minutes, he's badly mistaken!" muttered a surly, ill-conditioned miner.

"So I say! and we—and we—" went round the circle, and a man on the outer edge, cried :

"I've fatched a trail-rope clean from Horse-shoe to string him up with, and now you are goin' to take him to Fr'isco. Well, I'll be eternally doggoned!"

This mischief-making remark caused a general stir throughout the band, and many sour looks were cast upon Winton, who still kept his position astride of the robber.

Several of the bloodthirsty vigilantes clamored for the bandit's execution, and it was evident that their sentiments were those of the whole band; and finding trouble brewing, Winton related the occurrence which occasioned his presence in the mountains.

Commencing with Spalding's adventures on the Salinas, he concisely related the entire story. How the merchant (whom several of the band knew and respected) had been absurdly suspected by San Francisco desperadoes of being an accom-

pliance of the robber; how he had been taken from his residence, tried, and found guilty of the alleged complicity, by Judge Lynch; how he had been temporarily liberated on the condition that Spanish Jack should be delivered into their hands within twenty days; how sixteen had already elapsed; and concluded by drawing his revolver, and saying firmly, yet without insolence:

"These are my reasons for taking Spanish Jack to San Francisco. They are just ones as none of you can deny. I think you will all see the matter in its true light, and allow me to have complete control of the prisoner; but by heaven! if you don't, I will put a bullet through the man that dares to put a rope around his neck."

His story, together with his resolute and undaunted bearing, had its effect on the band. A few still evinced a lurking hostility toward Winton, and a strong desire to deal summarily with the robber, casting significant glances toward a neighboring live-oak; but they were in the minority, the major part of the band having been impressed with the necessity of the prisoner's presence in San Francisco.

Having thus won over the majority to his standard, he now related the particulars connected with Tarbox' death, with whom they were all acquainted. He showed them the bag of gold, and related the verbal will with which it had been bequeathed to him, together with the mules and wagons; and offered six of the mules, and one of the wagons, to any man who would escort him with his prisoner to San Francisco.

It is needless to say this offer was accepted, and by one of the men who had been most antagonistic toward him. Several others, desirous of witnessing the last moments of Spanish Jack, (for they knew he would certainly be hung,) proffered their company, which was accepted, Winton fearing an attempt would be made to rescue the bandit by some of his accomplices.

The robber was placed on a hastily-constructed litter, to which he was securely bound. Several men raised it aloft on their shoulders, and escorted by the remainder with drawn revolvers, went down through the canon to the stage-road.

Here their horses were standing, fastened under trees, while

near by stood Winton's steed. Rigging the litter between two of the horses, the company proceeded westward toward Horse-shoe ranch.

Here they passed the night. In the morning, the mules (they having halted at the ranch, fulfilling Tarbox' prediction), were harnessed to the wagons, the overturned one being fetched from the hill; and with the robber securely guarded by six sturdy men, they rattled merrily away toward San Francisco.

The remainder of the party proceeded in search of Fowle, whom they captured and killed, after a week's search. He was hung in sight of the graves of Tarbox, Perkins and Chester.

## CHAPTER XVI.

## AFTER-SCENES.

THE nocturnal fog has settled down over the cosmopolitan city of San Francisco. The streets, gay by day, are still gayer by night. Throng after throng of pedestrians, a farrago of all the nations above the equator, and passing each other and disappearing in the innumerable places of amusement, moral and immoral, for which this gayest of gay cities is noted. There appears to be no particular direction in which the throngs are moving; they are flitting hither and thither like bats in their commonwealth; but the experienced observer would detect an extraordinary increase of foot-passengers in the eastern suburbs.

Noting, ever and anon, a knot of men busily engaged in earnest conversation, moving out from the heart of the city toward the suburbs, contrary to their usual direction, so early in the evening, he follows.

As he leaves the suburbs and arrives among the sand-hills, he notes that the knots of men have increased to a large unit—no longer knots, but a multitude.

He is accustomed to such gatherings, and always attends them—he is generally regaled by an exciting occurrence, usually by an execution by the russians of the city. He has noticed to-night that the police, generally attentive and vigilant, have a strong inclination to seek the heart of the city and desert this suburb.

He has a retentive memory, and recollects the morning newspaper announced the temporary absence from the city of the mayor and chief of police. He sees reporters for the press hastening onward, taking hurried notes as they go; and smiling knowingly, lights his cigar and follows.

As he arrives out on the plain where the concourse has become vast and crowded, he chances upon a short, stout man of rather choleric appearance, but who, nevertheless, has an exulting gleam of triumph in his little amber eye. Being of

a communicative and talkative turn, he engages the little fat man in a desultory conversation, in the course of which he finds he is a military man—an officer in the second Maine militia.

Albeit the little officer's exterior is that of an arrogant, rancorous individual, with no superfluous good nature, he is to-night relating in gleeful gusto an adventure, sir, which he had with the famous bandit who shuffles off this mortal coil to-night.

He is here to witness the execution, sir, he remarks to his companion, and wouldn't miss it, damme, if he had to walk the earth round to see it, sir. No, sir. Zounds!

He is expatiating to a high degree of his military address in the *renconter*, when he is interrupted by the hand of his companion being placed upon his arm. He pauses and looks about him.

The plain is covered with a vast populace, a sea of heads reddened by innumerable pine-torches which are flaring aloft.

One portion of the assemblage is more illuminated than the rest; it is by a collection of torches under a spreading tree, over a low limb of which hangs a loose rope.

As he sees this significant appendage to the limb, the little man's volubility increases to garrulous mirth, and he delineates in a humorous manner, the cowardice and effeminacy, sir, of a young man who was a party to the adventure; and who, notwithstanding the city is enthusiastic over his bravery, courage, and skill, damme, stood by with his hands in his pockets, and saw him robbed, sir. Yes, sir. Zounds!

His enchanting and florid conversation is again interrupted by a murmur which again arises throughout the congregation, and which augments into a thundering roar. Looking up, he sees a stir beneath the tree.

The roar of the multitude increases in intensity until the air vibrates like the fluctuating roar of a mighty organ. The stir under the tree increases.

The little man, in high excitement, marks the person of a prominent man under the tree. He is a powerful fellow, clothed in drab, and his face is livid and bruised.

The tumult gradually subsides, and now throughout the as-

sembled populace the silence is so great, that upon an individual's conversing calmly with a friend, he is angrily commanded to cease by three-score voices.

Again silence reigns.

But it is broken into a mighty roar as several men are seen to run rapidly away from the tree, and the man with the bruised face shoots rapidly up into the branches.

For five minutes the little man can not make his companion understand the remark he is shouting at the top of his shrill voice, so great is the clamor.

After it subsides into rapid, earnest conversation, mingled with frequent gestures at the tree where the bandit is still suspended in mid-air, the little man remarks, dogmatically, as he turns to depart :

"I wouldn't have missed this sight, sir, blast me, for all the gold in California! It does me good to see the robber hanging there, egad. Yes, sir, it does, sir. Zounds!"

---

On this same night another and different act is being performed in the residence of one of San Francisco's wealthiest merchants.

Of the many commodious and cheerful apartments in the house, but two are illuminated. In one sits the merchant himself—in his private business, *i. e.*, idling room, smoking his cigar, lying half-erect on a lounge close to a small table. On the table is a decanter of red wine, from which he frequently quaffs indolence and jollity.

His attitude is one of dressing-gowned and slippersed content; his air one of serenity, and his affable face wears an involuntary, habitual smile; and, as he watches his cigar-smoke curl lazily toward the ceiling to diffuse itself about the room, he hums the burden of an old love-tune in indolent enjoyment.

In the midst of his quiet gratification a prolonged sound comes to his ears—a roar of human voices.

Once it had caused him trouble; now, as he listens as it grows louder and more solemn in its rumbling intonation, he sighs, and the smile fades from his face, as lifting his palm, he says :

"May God have mercy on your soul, Harkaway—for whatever else you may have done, you saved my life."

The door opened, and two persons came softly in. One is a beautiful blushing girl whose hand is clasped in that of her companion, a majestic young man of three and twenty. His face is joyful; her face is glorified by a sweet, modest glow of happiness, as kneeling before the merchant she says, resting her head on her lover's shoulder:

"Bless me, father."

---

It is a calm, radiant morning in the Sierra Nevadas. The bracing, thin air is so transparent that a young woman on the brink of a yawning chasm sees, mile after mile, league after league, away to the north, the shadowy peak of Mount Shasta, looming its snow-capped head aloft toward the sky.

The chasm is so large it is a valley, and it is deep—very deep; the bed being so far below that gigantic pines seem but tiny trees; and yet she stands on the extreme verge, a false step on which would precipitate her to eternity.

Her beautiful face is haggard and agonized in the extreme, showing mental anguish. Her dress is disordered and neglected, and her whole demeanor and bearing is that of one stricken by some violent grief.

She has a portrait in her hand which she frequently kisses passionately: the likeness of a dark, handsome young man in the full vigor of early manhood.

There is a glorious, entrancing prospect spread out like a vast picture before her: mountains in bold, rugged outline, valleys in delicate coloring, the sky in a rich, soft blue, no artist, however a genius, could hope to transmit to canvas; and though she is susceptible to beauty, she heeds them not.

"Oh, what a life mine has been!" she cries, in anguish. "What a wicked, wicked life!"

She advances and looks over the brink of the precipice. Far below her the deep valley nestles peacefully between its blue, hazy hills.

"There is peace there!" she cries; "peace forever!"  
She will seek it.

Once more she kisses the picture passionately, gazing with

lingering tenderness upon the handsome, manly features; then she raises her face and hands to the blue sky.

"God forgive me, a wicked sinner!" she cries; "Jack, dear Jack, I am coming to you, my darling. Oh, God, forgive me, a wicked, wicked sinner!"

Closely clasping the portrait, as if she was afraid it would escape her, she glides over the brink; down, down, far away into the peaceful valley and the solemn eternal.

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